

City of Albany Industrial Development Agency

21 Lodge Street
Albany, New York 12207
Telephone: (518) 434-2532
Fax: (518) 434-9846

Tracy Metzger, Chair
Susan Pedo, Vice Chair
Darius Shahinfar, Treasurer
Lee Eck, Secretary

Anthony Gaddy
Robert Schofield
L. Lloyd Stewart

Sarah Reginelli, Chief Executive Officer
Mark Opalka, Chief Financial Officer
Marisa Franchini, Agency Counsel
A. Joseph Scott, Special Counsel

To: Darius Shahinfar
Lee Eck
Tracy Metzger
L. Lloyd Stewart

Anthony Gaddy
Susan Pedo
Robert Schofield

CC: Sarah Reginelli
Marisa Franchini
Joe Scott
Mark Opalka

Thomas Conoscenti
Andy Corcione
Virginia Rawlins
Tammie Fanfa

Date: February 5, 2021

IDA FINANCE COMMITTEE MEETING

A Finance Committee Meeting of the City of Albany Industrial Development Agency Board of Directors will be held on
Wednesday, February 10th, 2021 at 12:15 pm
and conducted telephonically pursuant to Executive Order No. 202.87 issued by the New York State Governor's Office.

AGENDA

Roll Call, Reading & Approval of the Minutes of the Finance Committee Meeting of January 13, 2020

Report of Chief Financial Officer

- A. None

Unfinished Business

- A. The Lofts at Pine Hills, LLC (237 Western Ave)
 - i. Discussion/Possible positive/negative recommendation for a Public Hearing Resolution
- B. 1415 Washington Property, LLC (1415 Washington Ave)
 - i. Discussion/Possible positive/negative recommendation for a Public Hearing Resolution
- C. 413 N Pearl Assoc., LLC
 - i. Discussion/Possible positive/negative recommendation for a Public Hearing Resolution

New Business

- A. None

Other Business

- A. Agency Update
- B. Compliance Update

Adjournment

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Mark Opalka, *Chief Financial Officer*
Marisa Franchini, *Agency Counsel*

IDA MINUTES OF FINANCE COMMITTEE MEETING

Wednesday January 13, 2021

Attending: Darius Shahinfar, Tracy Metzger, Lee Eck, Anthony Gaddy and L. Lloyd Stewart

Also Present: Susan Pedo, Robert Schofield, Sarah Reginelli, Mark Opalka, Joe Scott, Charles Malcomb, Dick Weisz, Amy Lavine, Tammie Fanfa, Andy Corcione, Virginia Rawlins, Tom Conoscenti, Nora Culhane-Friedel, Ashley Mohl, Michael Bohne and Sarah Horne

Public Present: Linda MacFarlane, Adam Driscoll, Brett Garwood, Patrick Rafferty, John Wyatt, Pierre Bruno, Dan Hershberg, Any Brick, Evan Podob, Mike Pullman, Matt Tyler, Dennis Rigosu, Sally Krauss, Jeff Buell, Joe Perniciaro and Mike Demasi

These minutes are of a meeting conducted telephonically pursuant to Executive Order No. 202.87 issued by New York State Governor Andrew M. Cuomo, which suspended provisions of Article 7 of the Public Officers Law requiring public in-person access to public meetings and authorizing board members to participate in said meetings by conference call or similar service. Each of the members and staff present participated by conference call.

Finance Committee Acting Chair Tracy Metzger called the Finance Committee meeting of the IDA to order at 12:20 p.m.

Roll Call, Reading and Approval of Minutes of the December 9, 2020 Finance Committee Meeting

A roll call of the Committee members present was held. Acting Chair Tracy Metzger reported that all Committee members were present. Since the minutes of the previous meeting had been distributed to Committee members in advance for review, Acting Chair Tracy Metzger made a proposal to dispense with the reading of the minutes. Acting Chair Tracy Metzger proposed to approve the minutes of the Finance Committee meeting of December 9, 2020. Darius Shahinfar made a motion and Lee Eck seconded to accept the minutes as presented. The motion passed with all members voting aye, minutes were accepted.

Report of Chief Financial Officer

Staff reviewed the quarterly budget with the board.

Unfinished Business

Clinton Avenue Apartments II, LLC (Home Leasing)

Tracy Metzger, having identified a previously-disclosed potential conflict of interest with the Applicant, recused herself from the discussion, and left the room at 12:23pm.

Staff reviewed the Clinton Avenue II Apartments, LLC project to the Committee. Staff noted that the Applicant was present for the meeting to discuss the project and to answer any questions. The Project proposes to revitalize 6 properties located on Clinton Avenue in Arbor Hill including the historic preservation of four vacant rowhomes, the adaptive reuse of a vacant former school building and the new construction of a 3-story mixed use building into a total of 61 residential affordable housing units benefiting households with incomes up to 80% of the Area

Median Income. Additionally, the mixed use building incorporates approx. 12,000 SF of commercial space to be owned by Albany Center for Economic Success (ACES) that would be used as an incubator for women, minorities and people of low income. It is anticipated that this project will create approximately 17 full time equivalent jobs. The total investment in the project is expected to be approximately \$23.9 million.

A Public Hearing was held prior to the meeting. There were no comments made in person or submitted in writing pertaining to the project. Staff noted that due to the unique nature of the project and its financial needs, the applicant is requesting a deviation in assistance from the Agency Policy Manual in the form of a 5% shelter rent PILOT. Additionally, Staff noted the applicant is requesting a deviation in assistance from the commercial abatement schedules laid out within the Project Evaluation and Assistance Framework for the ACES-occupied commercial space. As such, at the request of the Board, a third-party review was undertaken to assess the appropriateness of the requested level of Agency assistance. A memorandum was received by staff and was disseminated to the Board prior to the meeting. An executive summary of the memo was made part of the Finance Committee materials. The findings of the analysis by the 3rd party consultant supported the requested assistance and deemed both the request and developer assumptions as reasonable. The Committee discussed details of the project related to the unit mix, marketing efforts, financing terms and needs of the surrounding community. The Applicant responded to questions from the Committee regarding the status and development dynamics of Phase I of the project and the current Phase II portion.

A motion was made by Darius Shahinfar to positively recommend the Approving Resolutions to the IDA Board and seconded by Lee Eck. A vote being taken, the motion passed with all other members voting aye.

Tracy Metzger returned to the room at 12:34pm.

New Business

Staff gave a brief overview of the application inception process and reviewed the typical timelines and cadence of an application approval process.

The Lofts at Pine Hills, LLC, (237 Western Ave)

Project Introduction

Staff introduced the *Lofts at Pine Hills, LLC* project to the Committee. The proposed project at 237 Western Avenue involves the demolition of an existing vacant residential structures and the construction of a 5 story mixed-use, multi-family dwelling complex which would contain 97 residential apartment units, approximately 6,000 square feet of commercial space and both covered/uncovered parking for 99 vehicles. The Applicant is requesting sales and use tax exemptions, mortgage recording tax exemptions and real property tax exemption. The Applicant gave a presentation on the proposed project and was present to answer any questions from Committee members related to the status of commitments from potential retailers, the ownership history of the site and the potential relocation of any existing/previous tenants. The Committee discussed the merits of the project. Staff noted that due to the project requesting a deviation from what is provided via the Project Evaluation & Assistance Framework, a third party analysis and assessment of the reasonable ness of the request will be sought. No other actions were taken.

1415 Washington Property, LLC (1415 Washington Ave)

Project Introduction

Staff introduced the *1415 Washington Property, LLC* project to the Committee. The proposed project involves the demolition of an existing hotel and the construction of a 5 story, +/- 414,000 square foot private student housing dormitory complex which will contain approx. 240 units and approx. 560 beds and over 200 parking spaces. The Applicant is requesting sales and use tax exemptions, mortgage recording tax exemptions and real property tax exemptions consistent with what is provided for within the Project Evaluation and Assistance Framework for projects assessed between \$70,000 - \$79,999,000 per unit. The Applicant gave a presentation on the proposed project and was present to answer any questions from Committee members related to the 11 existing jobs on site and projected future potential job creation. The Committee discussed the merits of the project. The Project Applicant noted that in conjunction with the City of Albany Planning Department and the City of Albany Traffic

Engineering, the Applicant will be instituting a pedestrian safety measures/improvements as part of the Project. No other actions were taken.

413 N Pearl Assoc., LLC

Project Introduction

Staff introduced the *413 N Pearl Assoc., LLC* project to the Committee. The proposed project involves the historic renovation, redevelopment and conversion of an existing +/- 90,000 square foot warehouse structure into approx. 80 market rate residential apartment units and +/- 13,500 square feet of commercial space and include 54 off-street parking spots. The Applicant is requesting sales and use tax exemptions and mortgage recording tax exemptions. The Applicant gave a presentation on the proposed project was present to answer any questions from Committee members. The Committee discussed the merits of the project. No other actions were taken.

The Rep, LLC

Counsel reviewed a previous request for Agency approval involving a Resolution Consenting to Mortgage in Connection with New Market Tax Credits. At the time the request was considered in December 2020, it was the Applicant's understanding that due to the involvement of New York State in the financing, there was not a need to seek an additional mortgage recording tax exemption ("MRTE"), as was indicated in the language of the resolution. However, subsequent to the meeting, upon further discussions with NYS on the structuring of the new mortgage, there was in fact a need for the Agency to contemplate a MRTE. The original project Approving Resolutions contemplated a mortgage recording tax exemption. The amended request at hand does not exceed the original MRTE amount approved. Counsel advised the applicant is seeking a ratification to the Resolution Consenting to Mortgage in Connection with New Market Tax Credits to now include the additional MRTE request. A positive motion was made by Lee Eck to move the ratification of the modified Resolution Consenting to Mortgage in Connection with New Market Tax Credits to the Board and was seconded by Darius Shahinfar. A vote being taken, motion passes with all members voting aye.

Property Acquisition/ Disposition Report

Staff advised the committee that the Agency must prepare an annual report of the Agency's real property, in order to be compliant with Public Authority Law. Staff reviewed the annual report with the committee, which states that the Agency does not own any real property as of December 31, 2020.

Annual Investment Report

Staff advised the committee that in compliance with Public Authority Laws, the Agency prepares an annual report of the Agency's investments. Staff reviewed the annual investment report with the committee. Staff noted that Teal, Becker & Chiaramonte has been engaged to perform an audit of the 2020 financial activity of the Agency and which is underway and is expected to be complete in March 2021.

Other Business

Agency Update

Staff advised the Committee of the Governor's recent announcement regarding the selection of the Port of Albany for the nation's first offshore wind tower manufacturing facility. Staff stated both Capitalize Albany Corp. and the IDA stand ready to assist the project in any way possible, including through workforce development assistance.

Staff updated the committee on new legislation relating to the 485-a exemption program and noted that staff will be monitoring proposed non-residential conversion projects which may be impacted.

Staff stated the NYS State Economic Development Conference is convening virtually on January 20th and 21st. As in previous years, the Agency will be a sponsor at the \$1,500 rate, which was previously budgeted. Staff and Board members were encouraged to attend.

Compliance Update

Staff informed the Committee that they are in process of responding to the Office of the State Comptroller regarding the questions received for the 2019 Annual Report submission. Additionally, it was noted that the 2020 annual compliance reporting has commenced.

New Business (continued)

Capitalize Albany Corporation (Liberty Park Acquisition Assistance) – Minutes provided by Hodgson Russ

Upon repeating the previously-made disclosure of their relationships with Capitalize Albany Corporation, Member Susan Peto and the Capitalize Albany Corporation Staff recused themselves and left the meeting before the discussion started at 1:28 PM.

Chair Darius Shahinfar asked Attorney Scott to report on the status of the matter. Attorney Scott briefly summarized the status of the matter and the actions to be considered by the full board at the meeting of the Agency scheduled for next week, including the consideration of a SEQR Resolution and a Findings Resolution. Attorney Malcomb then explained the resolutions in detail to the members of the Finance Committee.

After some discussion regarding the resolutions, Chair Shahinfar then asked for a motion to go into Executive Session for the purpose of reviewing certain attorney/client matters and soliciting the advice of legal counsel with respect to such matters. Motion was made by Chair Shahinfar and seconded by Mr. Eck. The motion was passed unanimously. The members of the Committee went into Executive Session at 1:40 pm. The members of the Committee came out of Executive Session at 1:55 pm, and Chair Shahinfar noted for the record that no action was taken during the Executive Session.

Chair Shahinfar then asked if there was any further discussion before consideration of a resolution to positively recommend to the full board of the IDA the consideration of the SEQR Resolution and the Findings Resolution. There was no further discussion, and Chair Shahinfar made a motion regarding the positive recommendation. Mr. Eck seconded the resolution. The resolution passed by a unanimous vote.

There being no further business, Acting Chair Metzger adjourned the meeting at approximately 1:58 PM.

Respectfully submitted,

Lee Eck, Assistant Secretary

TO: City of Albany Industrial Development Finance Committee
FROM: City of Albany Industrial Development Agency Staff
RE: The Lofts at Pine Hills, LLC - IDA Application Summary
DATE: February 5, 2021

Applicant: The Lofts at Pine Hills, LLC

Managing Members (% of Ownership): Patrick Rafferty (95%) and Heather Rafferty (5%)

Project Location: 237 Western Avenue, Albany, NY

Project Description: The Project proposes to construct a +/- 124,300 SF, 5-story mixed-use residential commercial retail structure containing approximately 97 residential market rate apartment units and 6,000 SF of commercial retail space on the ground floor intended for two tenants. The 1.62 acre project site, which currently has 11 vacant structures that will be demolished, will also include approx. 99 off-street parking spaces.

Estimated Project Real Property Benefit Summary (20 Years):

	Status Quo Taxes (no project) Non-Homestead Rate	Project Impact (PILOT Payments)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$1,549,497	\$4,492,446	\$2,942,949

	Current Value	Anticipated Future Value*	Net Increase
Property Value Increase	\$1,179,500	\$10,120,000	\$8,940,500

**Project Impact Assessed Value based on letter from the City of Albany Assessor dated 01-15-20*

At the end of the PILOT period, the project is anticipated to make annual tax payments to the taxing jurisdictions of \$752,888 based on an assessed value of **\$10,120,000** and annual tax rate of \$74.40.

Estimated Investment: \$27,353,220

Community Benefits: Please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below.

- *Revitalization:* The project is located in an area included within a Neighborhood Plan. The project is also located in both a high vacancy census tract and a distressed census tract.
- *Identified Priority:* The project is an identified opportunity per the Midtown Colleges and Universities Study Plan. The project supports multiple initiatives in the Albany 2030 Plan.
- *Identified Growth Area:* The proposed project supports the creation, retention or expansion of facilities or the creation and/or retention of permanent private sector jobs in an existing City of Albany industry cluster.

- *Community Commitment:* The proposed project has committed to utilizing MWBE, Regional Labor and EEO Workforce Utilization.
- *Job Creation:* The project is committing to the creation of five (5) full-time equivalent and one hundred and fifty (150) construction jobs.
- *Investment:* The project is anticipating a project cost of more than \$26 million.

Employment Impact Analysis:

Temporary (Construction 2021-2022) Impact

Impact Type	Average Annual Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	90.44	\$16,462,154.41	\$18,719,225.25	\$22,244,919.00
Indirect Effect	7.77	\$1,029,413.68	\$1,693,493.46	\$2,828,538.90
Induced Effect	25.87	\$2,951,522.22	\$5,359,469.52	\$8,526,693.06
Total Effect	124.08	\$20,443,090.31	\$25,772,188.23	\$33,600,150.96

Permanent (Operations 2022) Impact

Impact Type	Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	5.58	\$260,536.46	\$1,053,392.60	\$1,574,639.83
Indirect Effect	2.22	\$141,526.89	\$265,008.15	\$463,534.29
Induced Effect	1.29	\$73,634.99	\$133,660.45	\$212,654.52
Total Effect	9.09	\$475,698.35	\$1,452,061.20	\$2,250,828.64

**IMPLAN Economic Impact Analysis conducted by the Capital District Regional Planning Commission as at 2-5-2021.*

Employment Impact:

- Projected Permanent: 9 jobs
- Projected Retained: 0 jobs
- Projected Construction: 150 jobs

Type of Financing: Straight Lease

Amount of Bonds Requested: None

Estimated Total Purchases Exempt from Sales Tax: \$7,800,000

Estimated Total Mortgage Amount: \$20,514,800

Requested PILOT: The Applicant is seeking a real property tax exemption schedule that deviates from what is provided for within the Project Evaluation and Assistance Framework for projects assessed over \$100,000 per unit by requesting a modification to the calculation of base PILOT assessment value.

Third Party Review: In response to the Board’s request, a third party evaluation of the appropriateness of the applicant’s PILOT assumptions and request for assistance has been commissioned by staff. *It is anticipated that the third party review will be completed in advance of the public hearing.*

Cash on cash return is a simple and straightforward method to calculate return on investments that involve long-term debt borrowing. We use this as our baseline analysis metric to keep comparisons consistent and variables limited across projects. The third-party analysis relies on the internal rate of return method due to its advantage of including the time value of money and property appreciation. Calculating the internal rate of return is more complicated because it requires the projection future of cash flows of the investment, including the sale of the investment at the end of the holding period. This analysis provides a more in-depth and project-specific measurement of anticipated return to review in conjunction with the straightforward cash-on-cash method.

Estimated Value of Tax Exemptions:

- NYS Sales and Compensating Use Tax: \$624,000
- Mortgage Recording Taxes: \$205,148
- Real Property Taxes: \$7,818,377
- Other: N/A

Baseline Requirements:

- Application: Complete
- Meets NYS/CAIDA Requirements: Yes
- Albany 2030 Alignment:
 - Increase job opportunities for all residents.
 - Encourage investment in urban land and buildings for employment and housing.
- Planning Approval Status: Full Planning Board approval
- Meets Project Use Definition: Yes
- Meets “But For” Requirement: Yes, affidavit signed.

Cost Benefit Analysis: See attached Exhibit A: Description of The Project Evaluation and Expected Public Benefits.

Estimated IDA Fee

- Fee amount: \$273,532

CAIDA Mission: The purpose of the Industrial Development Agency is to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities. The Agency aims to protect and promote the health of the inhabitants of the City of Albany by the conservation, protection and improvement of the natural and cultural or historic resources and environment and to control land, sewer, water, air, noise or general environmental pollution derived from the operation of industrial development.

*****DRAFT - CAIDA Project Evaluation and Assistance Framework Staff Analysis**

Project:	Lofts at Pine Hills (237 Western Ave)		
Total Score:	15		
*Qualifies for a PILOT Deviation?	YES	**Qualifies for Community Commitment Enhancement?	YES
Total Improved Assessed Value Estimate:	\$10,120,000	Units:	99
Notes/Applicable Program Restrictions:	Improved Assessed Value/Unit Estimate: \$102,222.22 97 residential apartment units, 2 commercial spaces totaling 6,000 SF		

COMMENTS

Revitalization	Target Geography		
	Distressed Census Tract	1	Census tract 6
	High Vacancy Census Tract	1	Census tract 6
	Downtown		
	BID		
	Neighborhood Plan	1	Midtown Colleges and Universities Study Plan
	Identified Priority		
	Downtown Residential		
	Tax Exempt/Vacant		
	Identified Catalyst Site	1	Identified development opportunity per Midtown Colleges and Universities Study Plan and Education District Enhancement Study
	Historic Preservation		
	Community Catalyst	1	Supports multiple initiatives in Albany 2030 plan
	Identified Growth Area		
	Manufacturing / Distribution		
	Technology		
	Hospitality		
	Existing Cluster	1	Education
	Conversion to Residential		
Subtotal		6	
Job Creation	Permanent Jobs		
	3 - 40	1	5 FTEs
	41-80		
	81 - 120		
	121-180		
	>180		
	Retained Jobs		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	Construction Jobs		
	1 - 80	1	
	81 - 160	1	150 projected construction jobs
	161 - 240		
	> 241		
Subtotal		3	
Investment	Financial Commitment		
	2.5M - 10M	1	
	10.1M-17.5M	1	
	17.6M-25M	1	
	Subtotal	3	
	Community Commitment		
	MWBE	1	20% of the value of construction contracts will be performed by MWBE entities
	EEO Workforce Utilization	1	15% of the construction workforce are minorities or women
	Inclusionary Housing		
	Regional Labor	1	90% of construction jobs will be filled by local residents
	City of Albany Labor		
	Apprenticeship Program		
	Subtotal	3	
Total:		15	<i>*Must achieve threshold of 10 to qualify for deviation</i>

Baseline Requirements	Complete Application	1	
	Meets NYS/CAIDA Requirements	1	
	Albany 2030 Aligned	1	
	Planning Approval	1	
	Meet "Project Use" definition	1	
	"But For" Requirement	1	
		6	

***This analysis is prepared by staff for Board discussion purposes only. The potential scoring represented has not been vetted, agreed upon or in any way approved by the CAIDA Board of Directors

The Lofts at Pine Hills LLC
1 Noble Path
Albany, NY 12205

December 30, 2020

Tracy Metzger
Chair
City of Albany Industrial Development Agency
21 Lodge Street
Albany, New York 12207

RE: Request for IDA Assistance for The Lofts at Pine Hills Project

Dear Ms. Metzger:

Attached is a completed application, as well as the appropriate supplementary material required by the City of Albany Industrial Development Agency for the consideration of financial assistance associated with the Lofts at Pine Hills project.

Our project is a redevelopment of 11 properties located at the intersection of Quail St and Western Ave. The new facility will consist of 97 market rate multi-family units, and (2) 3000 +/- square foot commercial spaces. Five (5) of the units will meet the affordable housing level for Albany.

The building was designed to bring an energy efficient, modern and secure apartment options to the Pine Hills neighborhood with efficiencies and amenities such as green roofing technologies, 24-hour on site security, onsite fitness center, onsite secured parking and CDTA bike share amenities.

Our project is seeking assistance from the IDA via Sales Tax, Mortgage recording and a PILOT consistent with the guidelines set by the IDA for projects of this nature.

Our request for assistance is a result of the project cost associated with the complexity of building on our site. We are burdened with extremely poor soil conditions as well as additional costs of remediation and demolition of the existing structures. This combined with the ever-increasing cost of construction would render us unable to construct a project of this scale on our site.

We are requesting a deviation that the base valuation to be used for the PILOT to be \$1,461,000 based on our supporting documentation. This value is higher than the combined assessed values of all of the parcels (\$1,179,000) but lower than the actual purchase prices (\$1,850,000). This request is based on our need to purchase the Quail Street properties specifically for the redevelopment of this project. We paid above market prices to ensure we had the necessary amount of frontage on Quail to obtain approval for the project. We appreciate your consideration of this request as it is imperative to reach the investment returns for this project.

The proposed redevelopment is located in the MU-FM, Mixed Use Form Based Midtown District (rezoned June 2017). The purpose of this district is to create a cohesive and mutually supportive mixed-use neighborhood around the University of Albany Downtown Campus, to improve the appearance of that area, to ensure a vibrant atmosphere for students and residents alike, and to protect residential uses surrounding the Downtown Campus from potential adverse impacts of a large and growing university campus. This is the perfect project to accomplish those goals.

From the onset of our efforts to develop this site our team has actively engaged the community and City officials to ensure our project fits in with the goals of the City's 2030 plan and the planning requirements of the site. We have enjoyed the support of the Pine Hills Neighborhood Association and planning board; and believe that our project will offer extended community benefits as well as those consistent with CAIDA framework as follows:

CAIDA Additional Community Benefits:

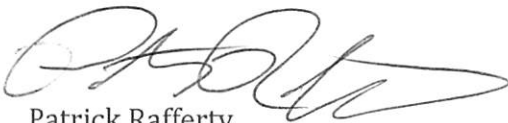
Distressed Census Tract
High Vacancy Census Tract
Neighborhood Plan
Identified Catalyst Site
Community Catalyst
Existing Cluster

Extended Project Benefits:

Bike share program
CDTA bike share onsite
Onsite Dog Park
97 Off street Parking spots, including 40 covered spots
Green roof and blue roof technology
Roof top terraces
24 hr security and Onsite management staff
Active member of the Pine Hills neighborhood association

Please do not hesitate to contact me if you should have any questions or find additional information is needed. Thank you for your time and consideration, I look forward to working with the Agency on this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Rafferty', written over a horizontal line.

Patrick Rafferty
Managing Member
The Lofts at Pine Hills LLC

Enclosure

City of Albany Industrial Development Agency

Application for Assistance

Date: 12/28/20

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY
c/o Department of Economic Development
21 Lodge Street
Albany, New York 12207

This application respectfully states:

APPLICANT:

Name: The Lofts at Pine Hills, LLC

Address: 1 Noble Path

City: Albany

State: NY

Zip: 12205

Federal ID/EIN: 83-2901417

Website:

Primary Contact: Patrick Rafferty

Title: Member

Phone: (518) 857-2224

Email: prafferty@phj-llc.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

Patrick Rafferty, Charles Dumas, Scott Townsend

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: Charles Dumas

ATTORNEY'S ADDRESS: 50 Beaver Street Albany, NY 12207

PHONE: (518) 433-8800

E-MAIL: cdumas@lemerygreisler.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return one (1) copy of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency’s bonds issued to finance the Project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency’s general counsel and bond counsel, may be considered as a part of the Project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.
10. The Agency has also established an administrative fee equal to (A) one percent (1%) of the cost of the Project in the case of an Agency Straight Lease Transaction, and (B) one percent (1%) of the aggregate principal amount of the bonds to be issued by the Agency in the case of an Agency Bond Transaction. The Agency has also established an administrative fee for the issuance of refunding bonds for Agency Bond Transactions. The formula for the calculation of the administrative fee for the issuance of refunding bonds is outlined in the Agency’s Policy Manual. THESE FEES ARE PAYABLE ON THE CLOSING DATE.

DATED: JULY 18, 2019

Answer all questions. Use "None" or "Not Applicable" where necessary.

SUMMARY OF PROJECT

Applicant: The Lofts at Pine Hills, LLC

Contact Person: Patrick Rafferty

Phone Number: (518) 857-2224

Occupant: Mixed Use - Multi-Family & Retail

Project Location (include Tax Map ID): 237 Western Ave, 177 Quail St & 179 Quail St. 65.65.61-5-26

Approximate Size of Project Site: 1.62 acres

Description of Project: The subject As Complete consists of +/-124,323 SF utilized as a mixed use building composed of two commercial first floor spaces, 97 residential apartments (5% Affordable Housing), indoor/outdoor parking, and first in class amenities.

Type of Project: ☐ Manufacturing ☒ Warehouse/Distribution
☒ Commercial ☐ Not-For-Profit
☐ Other-Specify

Employment Impact: Existing FTE Jobs: 0
Retained FTE Jobs: 0
FTE Jobs Created: 5
Construction Jobs Created: 150

Project Cost: \$27,353,220

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ Straight Lease

Amount of Bonds Requested: \$0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$624,000
Mortgage Recording Taxes:	\$205,148
Real Property Tax Exemptions: (auto-calculated)	\$7,971,258
Other (please specify):	

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	\$50,000
Annualized Salary Range of Jobs to be Created:	\$40-\$75k
Estimated Average Annual Salary of Jobs to be Retained:	

I. APPLICANT INFORMATION

A) Applicant:

Name: The Lofts at Pine Hills, LLC

Address: 1 Noble Path

City: Albany State: NY Zip: 12205

Federal ID/EIN: 83-2901417 Website:

Primary Contact: Patrick Rafferty

Title: Member

Phone: (518) 857-2224 Email: prafferty@phj-llc.com

B) Real Estate Holding Company (if different from Applicant):

Will a separate company hold title to/own the property related to this Project? If yes:

Name:

Address:

City: State: Zip:

Federal ID/EIN: Website:

Primary Contact:

Title:

Phone: Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):

Name: Alpha Rentals, LLC

Title:

Address: 1 Noble Path

City: Albany

State: NY

Zip: 12203

Phone: (518) 857-2224

Email: prafferty@phj-llc.com

D) Attorney:

Name: Charles Dumas

Firm Name: Lemery Greisler, LLC

Address: 50 Beaver St

City: Albany

State: NY

Zip: 12207

Phone: (518) 424-5297

Email: cdumas@lemerygreisler.com

E) General Contractor:

Name: Jason Perillo

Firm Name: Trinity Construction

Address: 621 Columbia St

City: Cohoes

State: NY

Zip: 12047

Phone: (978) 237-2605

Email: JPerillo@trinitybcm.com

II. APPLICANT'S COMPANY OWNERSHIP & HISTORY**A) Company Organization:**Year founded: Founded in which state: NAICS Code:

Type of ownership (e.g., C-Corp, LLC):

B) Company Management

Name	Office Held	Other Principal Business
Patrick Rafferty	Managing Member	Real Estate

Company Ownership:

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Patrick Rafferty	Managing Member	95	100
Heather Rafferty	Member	5	0

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?

☐ Yes ☒ No

If yes, describe:

C) Company Description:

Describe in detail the Company's background, products, customers, goods and services:

The company was formed for the sole purpose of this project. The project is a redevelopment of an assemblage of properties that were acquired for the purposes of this development project. The project will be comprised of 97 multi family units made up of 1,2,3 bedroom residents. Five percent of the apartments will be dedicated to Affordable Housing. The building is being constructed with significant energy efficiency systems, modern finishes, and taking into consideration the needs of the neighborhood. Additionally, two commercial spaces on the ground floor totaling approximately 6,000 square feet, will bring much needed retail space to the community. The project will have 99 parking spaces, a dog walk area and gated entry for tenant access. Related Parties have been servicing this area for over 15 years, housing many of those who have been established long term in the community. After hearing feedback about the neighborhood and its need, the Developer has sought further input from stakeholders while creating a project that will offer long term benefit to the community.

Existing Banking Relationship(s): Saratoga National Bank, CapCom Federal Credit Union

Has the Company ever received incentives tied to job creation? ☐ Yes ☒ No

If yes, describe:

Were the goals met?

☐ Yes ☐ No ☒ N/A

If no, why not?

Additional sheets may be attached, if necessary.

III. PROJECT DESCRIPTION AND DETAILS

A) Assistance requested from the Agency:

Select all that apply:

- ☒ Exemption from Sales Tax
- ☒ Exemption from Mortgage Tax
- ☒ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify:

B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

Summary: (Please provide a brief narrative description of the Project.):

The 124,323 +/- SF project consists of 97 1, 2, and 3 bedroom apartments. 5% of the residences will be dedicated to affordable housing. The project further consists of 6,000 +/- SF of commercial space, indoor/outdoor parking, tenant amenities, and 24/7 safety measures. The project will transform the corner of Western Ave and Quail St and provide much needed housing to the community.

Location of Proposed Project:

Street Address - Tax Map ID(s):

Is the Applicant the present legal owner of the Project site? ☐ Yes ☒ No

If yes: Date of Purchase: Purchase Price:

If no:

1. Present legal owner of the Project site:

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☒ Yes ☐ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☐ Yes ☐ No ☒ N/A

If yes: Date option signed: Date option expires:

Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

The company was formed for the sole purpose of this project. The project is a redevelopment of an assemblage of properties that were acquired for the purposes of this development project. The project will be comprised of 97 multi family units made up of 1,2,3 bedroom residents. Five percent of the apartments will be dedicated to Affordable Housing. The building is being constructed with energy efficiency systems, modern finishes, and taking into consideration the needs of the neighborhood. Additionally, two commercial spaces on the ground floor totaling approximately 6,000 square feet, will bring much needed retail space to the community. The project will have 99 parking spaces, a dog walk area and gated entry for tenant access. Related Parties have been servicing this area for over 15 years, housing many of those who have been established long term in the community. After hearing feedback about the neighborhood and its need, the Developer has sought further input from stakeholders while creating a project that will offer long term benefit to the community.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

N/A

C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Service* |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office |
| <input checked="" type="checkbox"/> Housing | <input checked="" type="checkbox"/> Mixed use |
| <input checked="" type="checkbox"/> Multi-tenant | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input checked="" type="checkbox"/> Retail* | <input type="checkbox"/> Other |

** The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.*

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. TBD	Targeting Rest./Coffee	2
2. TBD	Targeting Retail	2
3. Residential Apartments	Housing	96

Are there existing buildings on project site? ☒ Yes ☐ No

a. If yes, indicate number and approximate size (in square feet) of each existing building: 9 structures +/- 2400 SF/structure

b. Are existing buildings in operation? ☐ Yes ☒ No ☐ N/A
If yes, describe present use of present buildings:

c. Are existing buildings abandoned? ☐ Yes ☐ No ☒ N/A

About to be abandoned? ☐ Yes ☐ No ☒ N/A

If yes, describe: The 9 structures are currently vacant, but secured and not abandoned.

d. Attach photograph of present buildings.

IV. RETAIL QUESTIONNAIRE

(Fill out if end users are “retail” or “service” as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?¹ ☒ Yes ☐ No
- If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☐ Yes ☒ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☒ Yes ☐ No
3. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? ☒ Yes ☐ No
If yes, explain:
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)? ☐ Yes ☒ No
If yes, explain:
5. Will the Project be in a “highly distressed” census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☒ Yes ☐ No

If yes, explain:

Census Tract 6 meets the criteria as defined by the IDA and New York State.

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project.¹

V. ENVIRONMENTAL REVIEW AND PERMITTING

The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.

Environmental Assessment Form: ☒ Short Form ☐ Long Form

Lead Agency: **Albany Planning**

Agency Contact: **Brad Glass**

Date of submission: **6-2018**

Status of submission: **Approved; Extended until June 25, 2021**

Final SEQRA

determination: **Negative Declaration**

A) Site Characteristics:

Describe the present zoning and land use regulation: **Mixed Use - Form Based - Midtown**

Will the Project meet zoning and land use regulations for the proposed location? ☒ Yes ☐ No

Is a change in zoning and land use regulation is required? ☐ Yes ☒ No

If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

Does part of the Project consist of a new building or buildings?

☒ Yes ☐ No

If yes, indicate number and size of new buildings:

1 building +/- 124,323 /sf of Gross Residential and Commercial Space

Does part of the Project consist of additions and/or renovations to the existing buildings?

☐ Yes ☐ No

If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

VI. INTER-MUNICIPAL MOVE DETERMINATION

The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:

VII. EMPLOYMENT INFORMATION**A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

		Projected FTEs			
	Current FTEs	New Year 1- 20 ²²	New Year 2 - 20 ²³	New Year 3 - 20 ²⁴	Total Year 4-20 ²⁵
Full-time	0	4	4	4	4
Part-time	0	2	2	2	2
Seasonal	0	0	0	0	0

B) Employment Plan in FTE

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected <u>New</u> Permanent FTE			
	Average Annual Salary or Hourly Wage ²	Number of Current FTE	FTE in Year 1 20 ²²	FTE in Year 2 20 ²³	FTE in Year 3 20 ²⁴	Total New FTE by Year 4 20 ²⁵
Professional/Management	60000	0	1.5	1.5	1.5	1.5
Administrative						
Sales						
Services	45000	0	1.5	1.5	1.5	1.5
Manufacturing						
High-Skilled						
Medium-Skilled						
Basic-Skilled						
Other (specify)						
Retail Estimate	61000	0	2	2	2	2
Total (auto-calculated)		0	5	5	5	5

² Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.

VIII. INDEPENDENT CONTRACTOR RESOURCES

Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.

Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.

("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

	Current FTEs	Projected			
		New Year 1-20 ²¹	New Year 2-20 ²²	New Year 3-20 ²³	Total Year 4-20 ²⁴
Full-time	00	0	0	0	0
Part-time					
Seasonal					

IX. CONSTRUCTION LABOR

**Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project: 100

When does the applicant anticipate the start of construction? 3/2021

When does the applicant anticipate the completion of construction? 8/2022

What is the total value of construction contracts to be executed? \$21,147,534

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

Trinity Builders has an active minority and local utilization plan in place to ensure the direct hiring of local minority and WBE workforce participants.

X. PROJECT COSTS AND FINANCING

Attach additional

A) Project Costs

Description of Cost	Amount
Land	\$1,850,000
Buildings	\$21,147,534
Machinery and Equipment Cost	
Utilities, roads and appurtenant costs	
Architects and engineering fees	\$1,301,600
Cost of Bond Issue (legal, financial and printing)	
Construction loan fees and interest (if applicable)	\$2,107,705
Other (specify)	
Start Up / Marketing	\$208,924
Professional/Carrying	\$737,457
TOTAL PROJECT COST (auto-calculated)	\$27,353,220

Have any of the above costs been paid or incurred as of the date of this application? ☒ Yes ☐ No

If yes, describe:

The Developer has expended monies on environmental, engineering, design, and costs related to seeking Planning Board approval, Construction, and Financing.

B) Sources of Funds for Project Costs

Equity:

\$6,838,470

Bank Financing:

\$20,514,750

Tax Exempt Bond Issuance:

Taxable Bond Issuance

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:

Public Funds Total (auto-calculated):

\$0

Additional sheets may be attached, as necessary.

TOTAL: (auto-calculated)

\$27,353,220

Amount of total financing requested from lending institutions:

\$20,514,750

Amount of total financing related to existing debt refinancing:

\$620,000

Has a commitment for financing been received?

☐ Yes ☒ No

If yes:

Lending Institution:

Pending Approval of PILOT

Contact:

Phone:

XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

Project Evaluation and Assistance Framework. If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

Baseline Requirements (Must Achieve All)

<input checked="" type="checkbox"/> Complete Application	<input checked="" type="checkbox"/> Albany 2030 Aligned	<input checked="" type="checkbox"/> Meet Project Use Definition
<input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements	<input checked="" type="checkbox"/> Planning Approval (if applicant)	<input checked="" type="checkbox"/> "But For" Requirement
Approval Date : 06252019		

Community Benefit Metrics (Must Achieve 10)

Revitalization Target Geography <input checked="" type="checkbox"/> Distressed Census Tract <input checked="" type="checkbox"/> High Vacancy Census Tract <input type="checkbox"/> Downtown <input type="checkbox"/> BID <input checked="" type="checkbox"/> Neighborhood Plan	Investment Financial Commitment (cumulative) <input checked="" type="checkbox"/> 2.5M - 10M <input checked="" type="checkbox"/> 10.1 - 17.5M <input checked="" type="checkbox"/> 17.6M - 25M	Employment Permanent Jobs (cumulative) <input checked="" type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
Identified Priority <input type="checkbox"/> Downtown Residential <input type="checkbox"/> Tax Exempt/Vacant <input checked="" type="checkbox"/> Identified Catalyst Site <input type="checkbox"/> Historic Preservation <input checked="" type="checkbox"/> Community Catalyst	Community Commitment <input checked="" type="checkbox"/> MWBE/DBE Participation <input checked="" type="checkbox"/> EEO Workforce Utilization <input type="checkbox"/> Inclusionary Housing <input checked="" type="checkbox"/> Regional Labor <input type="checkbox"/> City of Albany Labor <input type="checkbox"/> Apprenticeship Program	Retained Jobs (cumulative) <input type="checkbox"/> 3 - 40 <input type="checkbox"/> 41 - 80 <input type="checkbox"/> 81 - 120 <input type="checkbox"/> 121 - 180 <input type="checkbox"/> > 180
Identified Growth Area <input type="checkbox"/> Manufacturing/Distribution <input type="checkbox"/> Technology <input type="checkbox"/> Hospitality <input checked="" type="checkbox"/> Existing Cluster <input type="checkbox"/> Conversion to Residential		Construction Jobs (cumulative) <input checked="" type="checkbox"/> 6 - 80 <input checked="" type="checkbox"/> 81 - 160 <input type="checkbox"/> 161 - 240 <input type="checkbox"/> > 240

XII. ESTIMATED VALUE OF INCENTIVES

A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☒ Yes ☐ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

\$1,461,000

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

\$10,120,000

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated): \$47.96

**assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

Community Commitment \$100,000+

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value Without PILOT ³	Estimated Total Without PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1	\$ 71,471	\$423,591	\$495,062	100%	\$71,471
2	\$ 72,900	\$432,063	\$504,964	100%	\$ 72,900
3	\$ 74,358	\$440,704	\$515,063	100%	\$ 74,358
4	\$ 75,846	\$449,519	\$525,364	100%	\$ 75,846
5	\$ 77,362	\$458,509	\$535,871	100%	\$ 77,362
6	\$ 78,910	\$467,679	\$546,589	100%	\$ 78,910
7	\$ 80,488	\$477,033	\$557,521	100%	\$ 80,488
8	\$82,098	\$486,573	\$568,671	100%	\$ 82,098
9	\$83,740	\$496,305	\$580,044	90%	\$ 133,370
10	\$85,414	\$506,231	\$591,645	90%	\$ 136,037
11	\$87,123	\$516,355	\$603,478	85%	\$ 164,576
12	\$88,865	\$526,683	\$ 615,548	80%	\$ 194,202
13	\$90,642	\$537,216	\$ 627,859	70%	\$ 251,807
14	\$92,455	\$547,961	\$ 640,416	65%	\$ 284,242
15	\$94,304	\$558,920	\$ 653,224	65%	\$ 289,926
16	\$96,190	\$570,098	\$ 666,289	60%	\$ 324,230
17	\$98,114	\$581,500	\$ 679,614	55%	\$ 359,789
18	\$100,077	\$593,130	\$ 693,207	50%	\$ 396,642
19	\$102,078	\$604,993	\$ 707,071	45%	\$ 434,824
20	\$104,120	\$617,093	\$ 721,212	40%	\$ 474,375
			\$ 12,028,712		\$ 4,057,454

**PILOT payments may not fall short of \$675 per door or .97 per Square Foot as applicable from Framework*

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

³ The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

The proposed redevelopment is located in the MU-FM, Mixed Use Form Based Midtown District (rezoned June 2017). The purpose of this district is to create a cohesive and mutually supportive mixed-use neighborhood around the University of Albany Downtown Campus, to improve the appearance of that area, to ensure a vibrant atmosphere for students and residents alike, and to protect residential uses surrounding the Downtown Campus from potential adverse impacts of a large and growing university campus. This is the perfect project and location to accomplish those goals. However, the cost to build this project - extensive site work, increasing costs of construction, labor, and insurance, bank financing, and the potential for depressed rents, combine to weigh heavily on the financial evaluation. The Developer would not be able to securing construction financing without tax relief. Further, any financing would require the project to meet certain financial covenant criteria, which would be impossible at a full valuation tax consequence.

B) Sales and Use Tax Benefit:

Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.

Costs for goods and services that are subject to State and local sales and use tax⁴:

\$7,800,000

Estimated State and local sales and use tax benefit (sales tax amount multiplied by 8.0% plus additional use tax amounts):

\$624,000

C) Mortgage Recording Tax Benefit:

Mortgage amount (include construction, permanent, bridge financing or refinancing):

\$20,514,750

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1%)⁵:

\$205,148

D) Percentage of Project Costs Financed from Public Sector:

Percentage of Project costs financed from public sector: 34.6
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:

\$27,353,220

B. Estimated Value of PILOT (auto-filled):

\$7,971,258

C. Estimated Value of Sales Tax Incentive:

\$624,000

D. Estimated Value of Mortgage Tax Incentive:

\$205,148

E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):

\$0

⁴ Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm.

⁵ The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.

XIII. COST BENEFIT ANALYSIS

In order for the City of Albany Industrial Development Agency (the “Agency”) to prepare a Cost/Benefit Analysis for a proposed project (the “Project”), the Applicant must answer the questions contained in this Project Questionnaire (the “Questionnaire”). Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, community benefits (including community commitment as described in the Agency’s Project Evaluation and Assistance Framework), etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary (“Company”):	The Lofts at Pine Hills	
2. Brief Identification of the Project:	237 Western Ave	
3. Estimated Amount of Project Benefits Sought:	\$ 8,800,406	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$624,000
C. Value of Real Property Tax Exemption Sought		\$7,971,258
D. Value of Mortgage Recording Tax Exemption Sought		\$205,148
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Planning and Zoning Complete, Financing In Proces		

PROJECTED PROJECT INVESTMENT

A. Land-Related Costs		
1. Land acquisition		\$ 1,850,000
2. Site preparation		
3. Landscaping		
4. Utilities and infrastructure development		
5. Access roads and parking development		
6. Other land-related costs (describe)		
B. Building-Related Costs		
1. Acquisition of existing structures		
2. Renovation of existing structures		
3. New construction costs		\$ 21,147,534
4. Electrical systems		
5. Heating, ventilation and air conditioning		
6. Plumbing		
7. Other building-related costs (describe)		
C. Machinery and Equipment Costs		
1. Production and process equipment		
2. Packaging equipment		
3. Warehousing equipment		
4. Installation costs for various equipment		
5. Other equipment-related costs (describe)		
D. Furniture and Fixture Costs		
1. Office furniture		
2. Office equipment		
3. Computers		
4. Other furniture-related costs (describe)		
E. Working Capital Costs		
1. Operation costs		
2. Production costs		
3. Raw materials		
4. Debt service		\$ 1,307,815
5. Relocation costs		
6. Skills training		
7. Other working capital-related costs (describe)		
F. Professional Service Costs		
1. Architecture and engineering		\$ 1,301,600
2. Accounting/legal		\$ 297,456
3. Other service-related costs (describe)	Please See Budget On Page 16 and Pro Forma	\$ 1,448,815
G. Other Costs		
1. _____		
2. _____		
H. Summary of Expenditures		
1. Total Land-Related Costs		\$ 1,850,000
2. Total Building-Related Costs		\$ 21,147,534
3. Total Machinery and Equipment Costs		\$ 0
4. Total Furniture and Fixture Costs		\$ 0
5. Total Working Capital Costs		\$ 1,307,815
6. Total Professional Service Costs		\$ 3,047,871
7. Total Other Costs		\$ 0
		\$ 27,353,220

PROJECTED NET OPERATING INCOME

I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 588,702	\$ 1,012,293
2	\$ 1,151,116	\$ 1,583,180
3	\$ 1,174,139	\$ 1,614,844
4	\$ 1,197,622	\$ 1,647,140
5	\$ 1,221,575	\$ 1,680,084

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	100	4916604	393328
Year 1	50	2532796	202624
Year 2			
Year 3			
Year 4			
Year 5			

PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	\$ 50,000
Additional Sales Tax Paid on Additional Purchases	\$ 4,000
Estimated Additional Sales (1 st full year following project completion)	\$ 300,000
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	\$ 24,000

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILIOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$70,070	\$70,070	\$0
Year 1	\$ 71,471	\$71,471	\$0
Year 2	\$ 72,900	\$ 72,900	\$0
Year 3	\$ 74,358	\$ 74,358	\$0
Year 4	\$ 75,846	\$ 75,846	\$0
Year 5	\$ 77,362	\$ 77,362	\$0
Year 6	\$ 78,910	\$ 78,910	\$0
Year 7	\$ 80,488	\$ 80,488	\$0
Year 8	\$82,098	\$ 82,098	\$0
Year 9	\$83,740	\$ 133,370	\$49,630
Year 10	\$85,414	\$ 136,037	\$50,623
Year 11	\$87,123	\$ 164,576	\$77,453
Year 12	\$88,865	\$ 194,202	\$105,337
Year 13	\$90,642	\$ 251,807	\$161,165
Year 14	\$92,455	\$ 284,242	\$191,786
Year 15	\$94,304	\$ 289,926	\$195,622
Year 16	\$96,190	\$ 324,230	\$228,039
Year 17	\$98,114	\$ 359,789	\$261,675
Year 18	\$100,077	\$ 396,642	\$296,565
Year 19	\$102,078	\$ 434,824	\$332,746
Year 20	\$104,120	\$ 474,375	\$370,256
			\$ 2,320,897

ADDITIONAL COMMUNITY BENEFITS

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- | | |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation; | (L) Downtown Residential; |
| (B) EEO; | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization; | (N) Identified Catalyst Site; |
| (D) Inclusionary Housing; | (O) Historic Preservation; |
| (E) Regional Labor; | (P) Community Catalyst; |
| (F) City of Albany Labor; | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program; | (R) Technology; |
| (H) Distressed Census Tract; | (S) Hospitality; |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and |
| (J) Downtown BID; | (U) Conversion to Residential. |
| (K) Neighborhood Plan; | |

-A - MWBE/DBE Participation
 -B - EEO
 -K - Neighborhood Plan
 -P - Community Catalyst
 -Distressed Census Tract
 -High Vacancy Census Tract
 -Neighborhood Plan
 ->\$25MM Financial Commitment
 -5 Projected FTE jobs
 -Identified Growth Area
 -Bike Share Program
 -CDTA Bus stop
 -Dog walk area
 -Onsite parking
 -Green Roof and roof top terraces
 -24 hr security
 -On Site Management

XIV. OTHER

Is there anything else the Agency's board should know regarding this Project?


The owner of this project has been a lifelong Albany County Resident and has owned and managed properties in the Pine Hills neighborhood since 2006. During this time span the area has been on a decline with residents leaving and business struggling to stay open. Our vision is to bring a different apartment model to a once desired area with hopes of giving the neighborhood new life. With this build the Western and Quail corridor can turn the corner and become prominent once again. This is more than just another build in Albany, this is an investment into our hometown. We feel that we have spent a considerable amount of time listening to stakeholders and have developed a project that the community wants and stands behind. We look forward to making an impact with the help of the Albany IDA. Thank you.

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: 12/30/2020	Name of Person Completing Project Questionnaire on behalf of the Company.
	Name: Patrick Rafferty
	Title: owner
	Phone Number: 518 857 2224
	Address: 1 Noble Path Albany NY 12205
	Signature: 

REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Patrick Rafferty (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Manging Membe (title) of The Lofts at Pine Hills, L (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. Job Listings. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. City Human Rights Law. The applicant has reviewed the provisions of Chapter 48, Article III of the City Code, entitled "The Omnibus Human Rights Law" and agrees to comply with such provisions to the extent that such provisions are applicable to the applicant and the Project.

D. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

E. Annual Employment Reports. The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Agency, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.

F. Local Labor Information. The applicant is aware of and understands the provisions of Part 24 of the Policy Manual of the Agency. Pursuant to Part 24 of the Policy Manual of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the Company's contact person responsible and accountable for providing information about the bidding for and awarding of construction contracts relative to this Application and the Project, (ii) the

nature of construction jobs created by the Project, including the number, type, and duration of construction positions; and (iii) submit to the Agency a “Construction Completion Report” listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the Project.

G. Additional Fee for Low Income Housing/Tax Credit (9% only) Projects. An annual administrative fee equal to \$10,000 shall be payable annually by the applicant on each January 1 for a term equal to ten (10) years. This annual administrative fee is in addition to the standard administrative fee for Agency Straight Lease Transactions and Agency Bond Transactions and is applicable to Projects which provide for low income housing/tax credit (9% only) projects.

H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the “Public Benefits”) and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain “recapture events” occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

I. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understand that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

J. Post-Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.

K. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

L. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

The Project would not be viable without financial assistance as we would fail to be able to refinance our construction loan and we would not produce Cash Flow sufficient to cover a standard Debt Service Coverage Ratio with a financial institution.

M. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

N. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

O. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

P. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Q. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at www.albanyida.com.

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

S. Change in Control of Project Applicant. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

DATED: JULY 18, 2019

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

Patrick Rafferty, being first duly sworn, deposes and says:

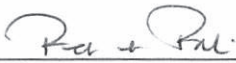
1. That I am the managing member (Corporate Office) of Lofts of Pine Hills, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 30 day of December, 2020



(Notary Public)

PIEL A PAVLIN
NOTARY PUBLIC STATE OF NEW YORK
RENSSELAER COUNTY
LIC. #01PA6404093
COMM. EXP. 02/10/2024

HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: 

Sworn to before me this

30 day of December 2020



(Notary Public)

PIEL A PAVLIN
NOTARY PUBLIC STATE OF NEW YORK
RENSSELAER COUNTY
LIC. #01PA6404093
COMM. EXP. 02/10/2024

SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

Should you need additional space, please attach a separate sheet.

**NEW YORK STATE FINANCIAL REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
 - a. Name of the Project financed with the bond proceeds.
 - b. Whether the Project occupant is a not-for-profit corporation.
 - c. Name and address of each owner of the Project.
 - d. The estimated amount of tax exemptions authorized for each Project.
 - e. The purpose for which the bond was issued.
 - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
 - g. Bond maturity date.
 - h. Federal tax status of the bond issue.
 - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
 - a. Name of the Project.

DATED: JULY 18, 2019

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:



Name:

Patrick Rafferty

Title:

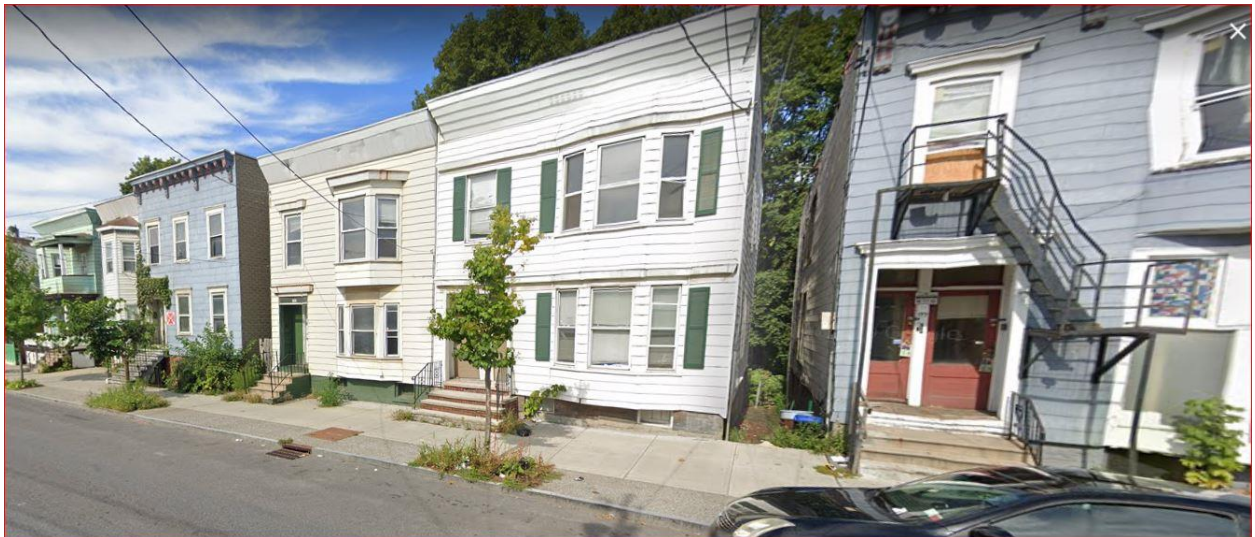
Managing Member

Company:

The Lofts at Pine Hills, LLC

Date:

12/30/2020







WESTERN & QUAIL APARTMENTS

DETAIL AERIAL VIEW



3tarchitects.com

Lofts @ Pine Hills - DRAFT PILOT - Applicant Request																		
PILOT Year	City & County Tax Year	School Tax Year	Tax Rate ⁽⁴⁾	Status Quo		Proposed Project												
						Base Assessment ⁽⁷⁾	Estimated Total Improved Assessment ⁽⁸⁾	Estimated Total Taxes w/o PILOT ⁽⁹⁾	Estimated Total Taxes w/o PILOT Per Unit ⁽¹⁰⁾	PILOT Payments to be the Greater of ⁽¹¹⁾								
				Estimated Total 2020 Assessment ⁽⁵⁾	Estimated Total Taxes ⁽⁶⁾					Estimated Commercial PILOT Payments ⁽¹¹⁾	Estimated PILOT Payments ⁽¹²⁾	Estimated PILOT Payments ⁽¹³⁾	Estimated Abatement ⁽¹⁴⁾	Estimated PILOT Payments Per Unit ⁽¹⁵⁾	Estimated Abatement Per Unit ⁽¹⁶⁾	% Abatement on Total Assessment ⁽¹⁷⁾	% Abatement on Improved Assessment ⁽¹⁸⁾	Commercial Abatement Percentage ⁽¹⁹⁾
Construction ⁽¹⁾	2021	2021/2022	\$48.12	\$1,179,500	\$56,760		-	-	-		-		-	-	-	-	-	-
Construction	2022	2022/2023	\$49.08	\$1,179,500	\$57,895		-	-	-		-		-	-	-	-	-	-
1 ⁽²⁾	2023	2023/2024	\$50.07	\$1,179,500	\$59,053	\$1,461,000	\$10,120,000	\$506,672	\$5,118	\$2,959	\$70,188	Not Applicable	\$433,525	\$739	\$4,379	85.56%	100%	100%
2	2024	2024/2025	\$51.07	\$1,179,500	\$60,234	\$1,461,000	\$10,120,000	\$516,806	\$5,220	\$4,807	\$71,592	Not Applicable	\$440,407	\$772	\$4,449	85.22%	100%	90%
3	2025	2025/2026	\$52.09	\$1,179,500	\$61,439	\$1,461,000	\$10,120,000	\$527,142	\$5,325	\$6,727	\$73,024	Not Applicable	\$447,391	\$806	\$4,519	84.87%	100%	80%
4	2026	2026/2027	\$53.13	\$1,179,500	\$62,668	\$1,461,000	\$10,120,000	\$537,685	\$5,431	\$8,723	\$74,484	Not Applicable	\$454,478	\$840	\$4,591	84.52%	100%	70%
5	2027	2027/2028	\$54.19	\$1,179,500	\$63,921	\$1,461,000	\$10,120,000	\$548,438	\$5,540	\$10,795	\$75,974	Not Applicable	\$461,669	\$876	\$4,663	84.18%	100%	60%
6	2028	2028/2029	\$55.28	\$1,179,500	\$65,200	\$1,461,000	\$10,120,000	\$559,407	\$5,651	\$12,947	\$77,494	Not Applicable	\$468,966	\$914	\$4,737	83.83%	100%	50%
7	2029	2029/2030	\$56.38	\$1,179,500	\$66,504	\$1,461,000	\$10,120,000	\$570,595	\$5,764	\$15,181	\$79,043	Not Applicable	\$476,371	\$952	\$4,812	83.49%	100%	40%
8	2030	2030/2031	\$57.51	\$1,179,500	\$67,834	\$1,461,000	\$10,120,000	\$582,007	\$5,879	\$17,499	\$80,624	Not Applicable	\$483,884	\$991	\$4,888	83.14%	100%	30%
9	2031	2031/2032	\$58.66	\$1,179,500	\$69,190	\$1,461,000	\$10,120,000	\$593,647	\$5,996	\$19,904	\$133,378	Not Applicable	\$440,366	\$1,548	\$4,448	74.18%	90%	20%
10	2032	2032/2033	\$59.83	\$1,179,500	\$70,574	\$1,461,000	\$10,120,000	\$605,520	\$6,116	\$22,398	\$136,045	Not Applicable	\$447,077	\$1,600	\$4,516	73.83%	90%	10%
11	2033	2033/2034	\$61.03	\$1,179,500	\$71,986	\$1,461,000	\$10,120,000	\$617,631	\$6,239	\$24,983	\$165,370	Not Applicable	\$427,278	\$1,923	\$4,316	69.18%	85%	0%
12	2034	2034/2035	\$62.25	\$1,179,500	\$73,425	\$1,461,000	\$10,120,000	\$629,983	\$6,363	\$25,483	\$195,813	Not Applicable	\$408,688	\$2,235	\$4,128	64.87%	80%	0%
13	2035	2035/2036	\$63.50	\$1,179,500	\$74,894	\$1,461,000	\$10,120,000	\$642,583	\$6,491	\$25,992	\$255,086	11.5% of Project Gross Sales/Revenue	\$361,505	\$2,839	\$3,652	56.26%	70%	0%
14	2036	2036/2037	\$64.77	\$1,179,500	\$76,392	\$1,461,000	\$10,120,000	\$655,435	\$6,621	\$26,512	\$288,419	11.5% of Project Gross Sales/Revenue	\$340,503	\$3,181	\$3,439	51.95%	65%	0%
15	2037	2037/2038	\$66.06	\$1,179,500	\$77,920	\$1,461,000	\$10,120,000	\$668,543	\$6,753	\$27,043	\$294,188	11.5% of Project Gross Sales/Revenue	\$347,313	\$3,245	\$3,508	51.95%	65%	0%
16	2038	2038/2039	\$67.38	\$1,179,500	\$79,478	\$1,461,000	\$10,120,000	\$681,914	\$6,888	\$27,583	\$329,444	11.5% of Project Gross Sales/Revenue	\$324,887	\$3,606	\$3,282	47.64%	60%	0%
17	2039	2039/2040	\$68.73	\$1,179,500	\$81,068	\$1,461,000	\$10,120,000	\$695,552	\$7,026	\$28,135	\$365,993	11.5% of Project Gross Sales/Revenue	\$301,424	\$3,981	\$3,045	43.34%	55%	0%
18	2040	2040/2041	\$70.11	\$1,179,500	\$82,689	\$1,461,000	\$10,120,000	\$709,463	\$7,166	\$28,698	\$403,872	11.5% of Project Gross Sales/Revenue	\$276,894	\$4,369	\$2,797	39.03%	50%	0%
19	2041	2041/2042	\$71.51	\$1,179,500	\$84,343	\$1,461,000	\$10,120,000	\$723,653	\$7,310	\$29,272	\$443,120	11.5% of Project Gross Sales/Revenue	\$251,261	\$4,772	\$2,538	34.72%	45%	0%
20	2042	2042/2043	\$72.94	\$1,179,500	\$86,030	\$1,461,000	\$10,120,000	\$738,126	\$7,456	\$29,857	\$483,776	11.5% of Project Gross Sales/Revenue	\$224,493	\$5,188	\$2,268	30.41%	40%	0%
Permanent ⁽³⁾	2043	2043/2044	\$74.40	\$1,179,500	\$87,750		\$10,120,000	\$752,888	\$7,604.93	\$30,454	\$752,888							
Estimated Totals ⁽²⁰⁾					\$1,549,497			\$12,310,803		\$395,498	\$4,096,927		\$7,818,377					
Notes: (1) Project would likely close with Agency 2Q 2021. (2) Estimated start of PILOT payments. (3) Project returns to full taxable status. (4) Estimated tax rate (does not include any special ad volereum taxes that are still payable under PILOT) based on City/County 2021 tax year and School 2021/2022 tax year with estimated escalation of 2.0% thereafter. (5) Assessment value of based on the current 2019 assessment (6) Estimated taxes if proposed project did not occur (i.e. left status quo). (7) Assessment value of based on 2020 City of Albany Tax Rolls/property purchase price. (8) Per letter from the City of Albany Assessor dated 01-15-20. (9) Estimated taxes if the proposed project occurred without PILOT assistance. (10) Estimated taxes <u>Per Unit</u> if the proposed project occurred without PILOT assistance. (11) Estimated PILOT Payments via commercial abatement schedule - 6,000 SF (4.8261%). (12) Estimated PILOT Payments. (13) PILOT Payments in Years 1-12 will be calculated by the schedule listed for Percent Abatement on Improved Assessment. Starting in Year 13 the PILOT Payments will be calculated as the greater of the Percent Abatement on Improved Assessment or 11.5% of Gross Sales/Revenue (*needs to be finalized). (14) Difference of Estimated PILOT Payments from Estimated Total Taxes w/o PILOT. (15) Estimated PILOT Payments <u>Per Unit</u> . (16) Difference of Estimated PILOT Payments <u>Per Unit</u> from Estimated Total Taxes w/o PILOT <u>Per Unit</u> . (17) Percent Abatement on Total Assessment via PILOT. (18) Percent Abatement on Improved Assessment via PILOT. (19) Percent Abatement on Improved Assessment via PILOT. (20) Totals for comparison and analysis during PILOT agreement period only.																		

Analysis is ONLY an estimate

EXHIBIT A

DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

THE LOFTS AT PINE HILLS, LLC PROJECT

Pursuant to the City of Albany Industrial Development Agency's (the "Agency") Uniform Criteria for the Evaluation of Projects Policy, the following general uniform criteria were utilized by the "Agency" to evaluate and select the project for which the Agency can provide financial assistance. In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of City of Albany, Albany County, New York (the "Public Benefits"):

Description of Evaluation Criteria/Benefit		Applicable to Project (indicate Yes or No)		Criteria Assessment/ Expected Benefit
1.	Retention direct and indirect of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in the Pine Hills neighborhood, thereby promoting the retention of existing jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment and office operations located in the surrounding area.</p>
2.	Creation of direct and indirect new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in the Pine Hills neighborhood, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 5 new full time equivalent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.</p>

3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The exemptions have been weighed against the cumulative benefits of the Project.</p> <p>NYS Sales and Compensating Use Tax Exemption: \$624,000 Mortgage Recording Tax Exemption: \$205,148 Real Property Tax Exemption: \$7,818,377</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project applicant expects to invest over \$27.3 million of private investment in the Project.</p>
5.	Likelihood of Project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>High likelihood that Project will be accomplished in a timely fashion.</p> <p>The project received City of Albany Planning Board approvals.</p> <p>The Project has received a term sheet for Project Financing.</p> <p>The Applicant closed on the purchases of the properties and has site control.</p>
6.	Extent of new revenue provided to local taxing jurisdictions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will result in new revenue to local taxing jurisdictions under the proposed PILOT program through the City of Albany IDA.</p> <p>Project will result in an increase in assessed value from the current total assessment: \$1,179,500 (Per City of Albany Commissioner of Assessment and Taxation 2020 Assessment Roll) to the estimated improved total assessment: \$10,120,000 (Per City of Albany Commissioner of Assessment and Taxation).</p>

7.	Other:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The Project will develop an underutilized property and create approximately 5 FTE.</p> <p>The Project commits to utilizing 90% Regional Labor for construction jobs.</p> <p>The Project commits to 20% of the value of construction contracts will be performed by MWBE entities.</p> <p>The Project commits to 15% of the construction workforce are minorities or women.</p> <p>The Project will increase the consumer base to support local businesses and employers.</p> <p>The Project will have a positive revitalizing effect on the community by developing currently underutilized land in a strategically identified neighborhood location.</p> <p>The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030; Midtown Colleges and University Study Plan.</p>
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TO: City of Albany Industrial Development Finance Committee
FROM: City of Albany Industrial Development Agency Staff
RE: 1415 Washington Property, LLC - IDA Application Summary
DATE: February 5, 2021

Applicant: 1415 Washington Property, LLC

Managing Members (% of Ownership): Evan Podob (24.5%) Michael Pullman (24.5%) and Adam Pullman (51%)

Project Location: 1415 Washington Avenue, Albany, NY

Project Description: The Project proposes to construct a +/- 414,850 SF, 5-story residential student housing dormitory complex containing approximately 240 residential units totaling approx. 560 beds. The 2.85 acre project site, which currently has 95 room hotel that will be demolished, will also include approx. 207 off-street parking spaces.

Estimated Project Real Property Benefit Summary (15 Years):

	Status Quo Taxes (no project) Non-Homestead Rate	Project Impact (PILOT Payments)	Net Benefit
Revenue Gain to Taxing Jurisdictions	\$6,282,630	\$10,568,029	\$4,285,399

	Current Value	Anticipated Future Value*	Net Increase
Property Value Increase	\$7,000,000	\$17,500,000	\$10,500,000

**Project Impact Assessed Value based on letter from the City of Albany Assessor dated 10-19-20*

At the end of the PILOT period, the project is anticipated to make annual tax payments to the taxing jurisdictions of \$489,080 based on an assessed value of **\$17,500,000** and an annual tax rate of \$69.87.

Estimated Investment: \$79,945,770

Community Benefits: Please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below.

- *Revitalization:* The project is located in a distressed census tract.
- *Identified Growth Area:* The proposed project supports the creation, retention or expansion of facilities or the creation and/or retention of permanent private sector jobs in an existing City of Albany industry cluster.
- *Job Creation:* The project is committing to the creation of eight (8) full-time equivalent and three hundred (300) construction jobs.

- *Investment:* The project is anticipating a project cost of more than \$79 million.
- *Community Commitment:* The project is committing to utilizing Regional Labor, City of Albany Labor, MWBE participation and EEO Workforce Utilization.

Employment Impact Analysis:

Temporary (Construction 2021-2023) Impact

Impact Type	Average Annual Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	156.55	\$42,254,741.95	\$48,080,253.42	\$56,915,176.19
Indirect Effect	19.37	\$2,559,051.86	\$4,233,919.29	\$7,075,408.83
Induced Effect	66.32	\$7,566,789.73	\$13,739,971.70	\$21,859,729.91
Total Effect	242.24	\$52,380,583.55	\$66,054,144.41	\$85,850,314.93

Permanent (Operations 2023) Impact

Impact Type	Employment	Labor Income (\$)	Value Added (\$)	Output (\$)
Direct Effect	8.56	\$87,037.06	\$182,775.64	\$412,737.43
Indirect Effect	1.13	\$66,587.83	\$126,788.09	\$225,555.92
Induced Effect	0.48	\$27,114.18	\$49,225.61	\$78,317.10
Total Effect	10.17	\$180,739.08	\$358,789.35	\$716,610.45

**IMPLAN Economic Impact Analysis conducted by the Capital District Regional Planning Commission as at 2-5-2021.*

Employment Impact:

- Projected Permanent: 8 jobs
- Projected Retained: 0 jobs – there are currently 11 jobs on-site which are expected to expire
- Projected Construction: 150 jobs

Type of Financing: Straight Lease

Amount of Bonds Requested: None

Estimated Total Purchases Exempt from Sales Tax: \$7,800,000

Estimated Total Mortgage Amount: \$20,514,800

Requested PILOT: The proposal entails the Applicant entering into a PILOT agreements with the IDA consistent with CAIDA Project Evaluation and Assistance Framework abatement percentages for projects with an estimated improved assessed value per unit between \$70,000 - \$79,999.

Estimated Value of Tax Exemptions:

- NYS Sales and Compensating Use Tax: \$2,544,000
- Mortgage Recording Taxes: \$520,000
- Real Property Taxes: \$5,143,547
- Other: N/A

Baseline Requirements:

- Application: Complete
- Meets NYS/CAIDA Requirements: Yes
- Albany 2030 Alignment:
 - Encourage investment in urban land and buildings for employment and housing.
- Planning Approval Status: Expected February 2021
- Meets Project Use Definition: Yes
- Meets “But For” Requirement: Yes, affidavit signed.

Cost Benefit Analysis: See attached Exhibit A: Description of The Project Evaluation and Expected Public Benefits.

Estimated IDA Fee

- Fee amount: \$799,457

CAIDA Mission:The purpose of the Industrial Development Agency is to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities. The Agency aims to protect and promote the health of the inhabitants of the City of Albany by the conservation, protection and improvement of the natural and cultural or historic resources and environment and to control land, sewer, water, air, noise or general environmental pollution derived from the operation of industrial development.

*****DRAFT - CAIDA Project Evaluation and Assistance Framework Staff Analysis**

Project:	1415 Washington Property, LLC		
Total Score:	13		
*Qualifies for a PILOT Deviation?	YES		
Total Improved Assessed Value Estimate:	\$17,500,000	Units:	237
Notes/Applicable Program Restrictions:	approx. 240 units, 560 bed student housing project		
	**Qualifies for Community Commitment Enhancement? YES		
	Improved Assessed Value per Unit Estimate: \$73,839.66		

COMMENTS

Revitalization	Target Geography		
	Distressed Census Tract	1	Census tract 3
	High Vacancy Census Tract		
	Downtown Residential		
	BID		
	Neighborhood Plan		
	Identified Priority		
	Downtown Residential		
	Tax Exempt/Vacant		
	Identified Catalyst Site		
	Historic Preservation		
	Community Catalyst		
	Identified Growth Area		
	Manufacturing / Distribution		
	Technology		
	Hospitality		
	Existing Cluster	1	Education
	Conversion to Residential		
	<i>Subtotal</i>	2	
Job Creation	Permanent Jobs		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	Retained Jobs		
	3 - 40		
	41-80		
	81 - 120		
	121-180		
	>180		
	Construction Jobs		
	6 - 80	1	
	81 - 160	1	
	161 - 240	1	
	> 241	1	Est. 300 construction jobs
	<i>Subtotal</i>	4	
Investment	Financial Commitment		
	2.5M - 10M	1	
	10.1M-17.5M	1	
	17.6M-25M	1	\$80.0 M investment
	<i>Subtotal</i>	3	
	Community Commitment		
	MWBE	1	20% of the value of construction contracts will be performed by MWBE entities
	EEO Workforce Utilization	1	15% of the construction workforce are minorities or women
	Inclusionary Housing		
	Regional Labor	1	90% of construction jobs will be filled by local residents
	City of Albany Labor	1	15% of construction jobs will be filled by City of Albany residents
	Apprenticeship Program		
	<i>Subtotal</i>	4	**Must achieve subtotal of 3 and threshold of 13 to qualify for Community Commitment enhancement
	Total:	13	*Must achieve threshold of 10 to qualify for deviation

Baseline Requirements	Complete Application	1	
	Meets NYS/CAIDA Requirements	1	
	Albany 2030 Aligned	1	
	Planning Approval	1	
	Meet "Project Use" definition	1	
	"But For" Requirement	1	
		6	

***This analysis is prepared by staff for Board discussion purposes only. The potential scoring represented has not been vetted, agreed upon or in any way approved by the CAIDA Board of Directors

1415 Washington Property, LLC
c/o Scenic Investments
157 Columbus Ave, #515
New York, NY 10023

December 17, 2020

Hon. Tracy Metzger, Chair
City of Albany Industrial Development Agency
21 Lodge Street
Albany, NY 12207

Re: Request for IDA Assistance for 1415 Washington Ave-Private Dormitory Project

Dear Chair Metzger,

Enclosed please find a completed Application for Assistance respectfully submitted this date to the City of Albany Industrial Development Authority. We are requesting financial assistance to allow for us to proceed with our proposal to construct a 240+/- unit private student dormitory with 560+/- beds and associated amenities to be located at 1415 Washington Ave. in the City of Albany.

With IDA assistance, we will be able to transform the property from an outdated hotel to a state of the art student housing project containing a variety of indoor and outdoor amenities. The project as envisioned will create 300 construction jobs and provide a significant increase to the City's tax base as well as provide needed student housing opportunities.

On behalf of our entire project team, thank you in advance for considering our request for assistance. We look forward to presenting our project to you in greater depth and detail and to answer any questions you or Board members may have.

Sincerely,

Evan Podob
Scenic Investments

City of Albany Industrial Development Agency

Application for Assistance

Date: 01/04/21

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY
c/o Department of Economic Development
21 Lodge Street
Albany, New York 12207

This application respectfully states:

APPLICANT:

Name: 1415 Washington Property, LLC

Address: c/o Scenic Investments, 157 Columbus Ave., #515

City: New York

State: NY

Zip: 10023

Federal ID/EIN:

Website:

Primary Contact: Evan Podob

Title: Partner

Phone: (914) 879-2005

Email: evan@scenicinvestment.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

EVAN PODOB

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: DONALD ZEE, P.C.

ATTORNEY'S ADDRESS: 2 COMPUTER DRIVE WEST - SUITE 100, ALBANY, NY 12205

PHONE: (518) 489-9423

E-MAIL: DonaldZeePC@MSN.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return one (1) copy of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency’s bonds issued to finance the Project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency’s general counsel and bond counsel, may be considered as a part of the Project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.
10. The Agency has also established an administrative fee equal to (A) one percent (1%) of the cost of the Project in the case of an Agency Straight Lease Transaction, and (B) one percent (1%) of the aggregate principal amount of the bonds to be issued by the Agency in the case of an Agency Bond Transaction. The Agency has also established an administrative fee for the issuance of refunding bonds for Agency Bond Transactions. The formula for the calculation of the administrative fee for the issuance of refunding bonds is outlined in the Agency’s Policy Manual. THESE FEES ARE PAYABLE ON THE CLOSING DATE.

DATED: JULY 18, 2019

Answer all questions. Use "None" or "Not Applicable" where necessary.

SUMMARY OF PROJECT

Applicant: 1415 Washington Property, LLC

Contact Person: Evan Podob

Phone Number: (914) 879-2005

Occupant: Students

Project Location (include Tax Map ID): 1415 Washington Avenue 53.-1-25

Approximate Size of Project Site: 2.85 acres

Description of Project: Applicant proposes to demolish the existing 95 room hotel (CrestHill Suites) and construct a new private dormitory. The new building will have 240+/- units being a mixture of 1,2 and 4 bedroom units. The total number of beds will be 560+/- beds. The building will be five stories over parking with parking for 207 +/- vehicles. In addition to indoor amenity spaces, there will be an 8,000+/- sf outdoor community courtyard/ampitheater and an 8,300+/- sf plaza. Bike storage and bike racks will be provided.

Type of Project: ☐ Manufacturing ☐ Warehouse/Distribution
☐ Commercial ☐ Not-For-Profit
☒ Other-Specify Student Housing

Employment Impact: Existing FTE Jobs: 11
Retained FTE Jobs: 0
FTE Jobs Created: 8
Construction Jobs Created: 300

Project Cost: \$79,945,770

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ Straight Lease

Amount of Bonds Requested: \$0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$2,544,000
Mortgage Recording Taxes:	\$520,000
Real Property Tax Exemptions: (auto-calculated)	\$4,846,644
Other (please specify):	

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	\$36,000
Annualized Salary Range of Jobs to be Created:	30,000-60,000
Estimated Average Annual Salary of Jobs to be Retained:	\$0

I. APPLICANT INFORMATION

A) Applicant:

Name: 1415 Washington Property, LLC

Address: c/o Scenic Investments, 157 Columbus Ave., #515

City: New York State: NY Zip: 10023

Federal ID/EIN: Website:

Primary Contact: Evan Podob

Title: Partner

Phone: (914) 879-2005 Email: evan@scenicinvestment.com

B) Real Estate Holding Company (if different from Applicant):

Will a separate company hold title to/own the property related to this Project? If yes:

Name: n/a

Address:

City: State: Zip:

Federal ID/EIN: Website:

Primary Contact:

Title:

Phone: Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):

Name: Albany Crest Hill Suites, LLC
Title: Owner
Address: 101 Taylor Ave
City: Essington State: PA Zip: 19029
Phone: Email:

D) Attorney:

Name: Donald Zee
Firm Name: Donald Zee, P.C.
Address: 2 Computer Drive West, Suite 100
City: Albany State: NY Zip: 12205
Phone: (518) 489-9423 Email: donaldzeepc@msn.com

E) General Contractor:

Name: TBD
Firm Name:
Address:
City: State: Zip:
Phone: Email:

II. APPLICANT'S COMPANY OWNERSHIP & HISTORY**A) Company Organization:**

Year founded: Founded in which state: NAICS Code:

Type of ownership (e.g., C-Corp, LLC):

B) Company Management

Name	Office Held	Other Principal Business
Michael Pullman	Member	Scenic Investments
Evan Podob	Member	Scenic Investments
Adam Pullman	Member	Scenic Investments

Company Ownership:

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Michael Pullman	Member	51	51
Evan Podob	Member	24.5	24.5
Adam Pullman	Member	24.5	24.5

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?

☐ Yes ☒ No

If yes, describe:

C) Company Description:

Describe in detail the Company's background, products, customers, goods and services:

Scenic Investments created a single purpose entity for the Albany Development, 1415 Washington Property, LLC. 1415 Washington Property, LLC will be the developer and manager of the property. At a later date, Scenic Investments may bring in additional partners. Since its founding in 2011, Scenic Investments has built a reputation for delivering exceptional properties crafted to stand out in high growth markets. Led by three principals with many years of development experience, our team understands that attention to detail is necessary to create communities destined for long-term success. Scenic Investments thinks outside the box, pairing the right location with the right product to deliver on the unique needs of each city and neighborhood it enters. Our buildings seek to provide an authentic-to-market, high-quality living experience that promotes a sense of belonging and community among residents. One way we achieve this is a commitment to prioritizing creativity and superior design in our common areas. This provides natural and programmed opportunities for people to congregate together, sparks connections and friendships that are rooted within the property, and ultimately instills in our residents a love for where they live. Scenic possesses the comprehensive capabilities to oversee the full lifecycle of multifamily developments and seeks to hold on to their properties for the long-term.

Existing Banking Relationship(s):

Gamma Real Estate, 101 Park Ave, 11th Floor, NY, NY 10178

Has the Company ever received incentives tied to job creation?

☐ Yes ☒ No

If yes, describe:

Were the goals met?

☐ Yes ☐ No ☒ N/A

If no, why not?

Additional sheets may be attached, if necessary.

III. PROJECT DESCRIPTION AND DETAILS

A) Assistance requested from the Agency:

Select all that apply:

- ☒ Exemption from Sales Tax
- ☒ Exemption from Mortgage Tax
- ☒ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify:

B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

Summary: (Please provide a brief narrative description of the Project.):

Demolish existing Crest Hill Suites hotel and replace with 560+/- bed student housing facility.

Location of Proposed Project:

Street Address - Tax Map ID(s):

Is the Applicant the present legal owner of the Project site? ☐ Yes ☒ No

If yes: Date of Purchase: Purchase Price:

If no:

1. Present legal owner of the Project site:

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☒ Yes ☐ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☐ Yes ☐ No ☐ N/A

If yes: Date option signed: Date option expires:

Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

Applicant proposes to demolish the existing 95 room hotel (CrestHill Suites) and construct a new private dormitory. The new building will have 240+/- units being a mixture of 1,2 and 4 bedroom units. The total numbr of beds will be 560+/- beds. The building will be five stories over parking with parking for 207 +/- vehicles. In addition to indoor amenity spaces, there will be an 8,000+/- sf outdoor community courtyard/ampitheater and an 8,300+/- sf plaza. Bike storage and bike racks will be provided.

Applicant will also participate in funding for the variety of solutions including pedestrian and bicycle improvements along Wasington Ave. as recommended in the 2019 Washington Ave/Patroon Creek Corridor Study.

Groundbreaking is anticipated for October 2021 with completion of construction and occupancy by June/July 2023.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

THE PROPOSED PROJECT FAILS TO MEET THE RISK-ADJUSTED RETURN THRESHOLDS OF INVESTORS. THE ASSISTANCE REQUESTED FROM THE IDA (i) EFFECTIVELY REDUCES THE CAPITALIZED DEVELOPMENT COSTS, THUS INCREASING THE PROJECT RETURNS TO ACCEPTABLE RISK-ADJUSTED LEVELS, AND (ii) ALLEVIATES THE LEASE-UP RISK THROUGH REAL PROPERTY TAX EXEMPTION YEARS. WITH THE ASSISTANCE OF THE IDA, THIS PROJECT WILL RE-TRANSFORM 1415 WASHINGTON AVENUE FROM AN OLDER PROPERTY TO A VIBRANT STAND-OUT STUDENT COMMUNITY THAT WILL HAVE POSITIVE FISCAL AND ECONOMIC IMPACT ON THE LOCAL COMMUNITY THROUGH JOB CREATION, SUBSTANTIAL INCREMENTAL REAL PROPERTY TAXES, AND ECONOMIC OUTPUT. THIS PRIVATIZED, TAX-GENERATING STUDENT HOUSING DEVELOPMENT SEEKS TO MAXIMIZE VALUE FOR ALL COMMUNITY STAKEHOLDERS.

C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Service* |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office |
| <input checked="" type="checkbox"/> Housing | <input type="checkbox"/> Mixed use |
| <input checked="" type="checkbox"/> Multi-tenant | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input type="checkbox"/> Retail* | <input checked="" type="checkbox"/> Other |

** The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.*

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. <input type="text"/>	<input type="text"/>	<input type="text"/>
2. <input type="text"/>	<input type="text"/>	<input type="text"/>
3. <input type="text"/>	<input type="text"/>	<input type="text"/>

Are there existing buildings on project site? ☒ Yes ☐ No

a. If yes, indicate number and approximate size (in square feet) of each existing building:

b. Are existing buildings in operation? ☒ Yes ☐ No ☐ N/A

If yes, describe present use of present buildings:

c. Are existing buildings abandoned? ☐ Yes ☒ No ☐ N/A

About to be abandoned?

☒ Yes ☐ No ☐ N/A

If yes, describe:

d. Attach photograph of present buildings.

IV. RETAIL QUESTIONNAIRE

(Fill out if end users are “retail” or “service” as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?¹ ☐ Yes ☒ No

If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☒ Yes ☐ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☒ Yes ☐ No
3. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? ☐ Yes ☒ No
If yes, explain:
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)? ☐ Yes ☒ No
If yes, explain:
5. Will the Project be in a “highly distressed” census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☒ Yes ☐ No

If yes, explain:

Project is located in City of Albany Census Tract #3.

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project.¹

V. ENVIRONMENTAL REVIEW AND PERMITTING

The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.

Environmental Assessment Form: ☐ Short Form ☐ Long Form

Lead Agency: CITY OF ALBANY PLANNING BOARD

Agency Contact: Bradley Glass

Date of submission: August 2020

Status of submission: pending

Final SEQRA

determination: Estimated February 2021

A) Site Characteristics:

Describe the present zoning and land use regulation: MU-CU

Will the Project meet zoning and land use regulations for the proposed location? ☒ Yes ☐ No

Is a change in zoning and land use regulation is required? ☐ Yes ☒ No

If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

no

Does part of the Project consist of a new building or buildings?

☒ Yes ☐ No

If yes, indicate number and size of new buildings:

NEW MULTISTORY BUILDING OF 414,850+/- SQUARE FEET.

Does part of the Project consist of additions and/or renovations to the existing buildings?

☐ Yes ☐ No

If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

n/a

VI. INTER-MUNICIPAL MOVE DETERMINATION

The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

n/a

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:

n/a

VII. EMPLOYMENT INFORMATION**A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

		Projected FTEs			
	Current FTEs	New Year 1- 20 ²²	New Year 2 - 20 ²³	New Year 3 - 20 ²⁴	Total Year 4-20 ²⁵
Full-time		0	5	5	5
Part-time		0	3	3	3
Seasonal					

B) Employment Plan in FTE

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected <u>New</u> Permanent FTE			
	Average Annual Salary or Hourly Wage ²	Number of Current FTE	FTE in Year 1 20 ²²	FTE in Year 2 20 ²³	FTE in Year 3 20 ²⁴	Total New FTE by Year 4 20 ²⁵
Professional/Management	\$67,500	0	1	1	1	1
Administrative	\$50,000	0	1	1	1	1
Sales	\$40,000 + Commission	0	1	1	1	1
Services	\$50,000	0	2	2	2	2
Manufacturing		0				
High-Skilled		0				
Medium-Skilled		5		3	3	3
Basic-Skilled		6				
Other (specify)						
Total (auto-calculated)		11	5	8	8	8

² Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.

VIII. INDEPENDENT CONTRACTOR RESOURCES

Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.

Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.

("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

	Current FTEs	Projected			
		New Year 1-20 ²²	New Year 2-20 ²³	New Year 3-20 ²⁴	Total Year 4-20 ²⁵
Full-time		0	0	0	0
Part-time		0	0	0	0
Seasonal		0	0	0	0

IX. CONSTRUCTION LABOR

**Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project: 300

When does the applicant anticipate the start of construction? October 2021

When does the applicant anticipate the completion of construction? June 2023

What is the total value of construction contracts to be executed? \$54,945,770

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

APPLICANT HAS MET WITH TWO (2) GENERAL CONTRACTORS, ONE WHICH IS BASED IN THE CITY OF ALBANY AND ONE IN SOUTHERN SARATOGA COUNTY. BOTH GENERAL CONTRACTORS UTILIZE SUBCONTRACTORS FROM THE CAPITAL DISTRICT. APPLICANT IS COMMITTING TO USE OF WMBE, EEO LABOR, CITY OF ALBANY LABOR, AND APPRENTICESHIP PROGRAMS.

X. PROJECT COSTS AND FINANCING

Attach additional

A) Project Costs

Description of Cost	Amount
Land	\$9,000,000
Buildings	\$54,945,770
Machinery and Equipment Cost	
Utilities, roads and appurtenant costs	
Architects and engineering fees	\$2,500,000
Cost of Bond Issue (legal, financial and printing)	
Construction loan fees and interest (if applicable)	\$3,500,000
Other (specify)	
Soft Costs	\$7,000,000
FF&E	\$3,000,000
TOTAL PROJECT COST (auto-calculated)	\$79,945,770

Have any of the above costs been paid or incurred as of the date of this application? ☒ Yes ☐ No

If yes, describe:

LAND ESCROW AND ARCHITECTURE FEES TOTALING APPROXIMATELY \$500,000.00

B) Sources of Funds for Project Costs

Equity:

\$27,981,020

Bank Financing:

\$51,964,750

Tax Exempt Bond Issuance:

\$0

Taxable Bond Issuance:

\$0

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:

Public Funds Total (auto-calculated):

\$0

Additional sheets may be attached, as necessary.

TOTAL: (auto-calculated)

\$79,945,770

Amount of total financing requested from lending institutions:

\$52,000,000

Amount of total financing related to existing debt refinancing:

\$0

Has a commitment for financing been received?

☐ Yes ☒ No

If yes:

Lending Institution:

Contact:

Phone:

XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

Project Evaluation and Assistance Framework. If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

Baseline Requirements (Must Achieve All)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Complete Application | <input checked="" type="checkbox"/> Albany 2030 Aligned | <input checked="" type="checkbox"/> Meet Project Use Definition |
| <input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements | <input type="checkbox"/> Planning Approval (if applicant) | <input checked="" type="checkbox"/> "But For" Requirement |
| Approval Date : <input type="text"/> | | |

Community Benefit Metrics (Must Achieve 10)

- | | | |
|--|--|---|
| Revitalization
Target Geography
<input checked="" type="checkbox"/> Distressed Census Tract
<input type="checkbox"/> High Vacancy Census Tract
<input type="checkbox"/> Downtown
<input type="checkbox"/> BID
<input type="checkbox"/> Neighborhood Plan | Investment
Financial Commitment (cumulative)
<input checked="" type="checkbox"/> 2.5M - 10M
<input checked="" type="checkbox"/> 10.1 - 17.5M
<input checked="" type="checkbox"/> 17.6M - 25M | Employment
Permanent Jobs (cumulative)
<input type="checkbox"/> 3 - 40
<input type="checkbox"/> 41 - 80
<input type="checkbox"/> 81 - 120
<input type="checkbox"/> 121 - 180
<input type="checkbox"/> > 180 |
| Identified Priority
<input type="checkbox"/> Downtown Residential
<input type="checkbox"/> Tax Exempt/Vacant
<input type="checkbox"/> Identified Catalyst Site
<input type="checkbox"/> Historic Preservation
<input type="checkbox"/> Community Catalyst | Community Commitment
<input checked="" type="checkbox"/> MWBE/DBE Participation
<input checked="" type="checkbox"/> EEO Workforce Utilization
<input type="checkbox"/> Inclusionary Housing
<input type="checkbox"/> Regional Labor
<input checked="" type="checkbox"/> City of Albany Labor
<input checked="" type="checkbox"/> Apprenticeship Program | Retained Jobs (cumulative)
<input type="checkbox"/> 3 - 40
<input type="checkbox"/> 41 - 80
<input type="checkbox"/> 81 - 120
<input type="checkbox"/> 121 - 180
<input type="checkbox"/> > 180 |
| Identified Growth Area
<input type="checkbox"/> Manufacturing/Distribution
<input type="checkbox"/> Technology
<input type="checkbox"/> Hospitality
<input checked="" type="checkbox"/> Existing Cluster
<input type="checkbox"/> Conversion to Residential | | Construction Jobs (cumulative)
<input checked="" type="checkbox"/> 6 - 80
<input checked="" type="checkbox"/> 81 - 160
<input checked="" type="checkbox"/> 161 - 240
<input checked="" type="checkbox"/> > 240 |

XII. ESTIMATED VALUE OF INCENTIVES**A) Property Tax Exemption:**

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☒ Yes ☐ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated):

**assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value Without PILOT ³	Estimated Total Without PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1	\$ 440,273	\$415,813	\$856,086	100%	\$440,273
2	\$ 449,078	\$424,129	\$873,208	100%	\$ 449,078
3	\$ 458,060	\$432,612	\$890,672	100%	\$ 458,060
4	\$ 467,221	\$441,264	\$908,485	100%	\$ 467,221
5	\$ 476,565	\$450,090	\$926,655	100%	\$ 476,565
6	\$ 486,097	\$459,091	\$945,188	100%	\$ 486,097
7	\$ 495,819	\$468,273	\$964,092	90%	\$ 542,646
8	\$505,735	\$477,639	\$983,374	80%	\$ 601,263
9	\$515,850	\$487,191	\$1,003,041	70%	\$ 662,007
10	\$526,167	\$496,935	\$1,023,102	60%	\$ 724,941
11	\$536,690	\$506,874	\$1,043,564	50%	\$ 790,127
12	\$547,424	\$517,011	\$ 1,064,435	40%	\$ 857,631
13	\$558,372	\$527,352	\$ 1,085,724	30%	\$ 927,519
14	\$569,540	\$537,899	\$ 1,107,439	20%	\$ 999,859
15	\$580,931	\$548,657	\$ 1,129,587	10%	\$ 1,074,722
16				0%	
17				0%	
18				0%	
19				0%	
20				0%	
			\$ 14,804,652		\$ 9,958,008

**PILOT payments may not to fall short of \$675 per door or .97 per Square Foot as applicable from Framework*

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

³ The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

B) Sales and Use Tax Benefit:

Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.

Costs for goods and services that are subject to State and local sales and use tax ⁴ :	\$31,800,000
Estimated State and local sales and use tax benefit (sales tax amount multiplied by 8.0% plus additional use tax amounts):	\$2,544,000

C) Mortgage Recording Tax Benefit:

Mortgage amount (include construction, permanent, bridge financing or refinancing):	\$2,544,000
Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by 1%) ⁵ :	\$25,440

D) Percentage of Project Costs Financed from Public Sector:

Percentage of Project costs financed from public sector: .099
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:	\$79,945,770
B. Estimated Value of PILOT (auto-filled):	\$4,846,644
C. Estimated Value of Sales Tax Incentive:	\$2,544,000
D. Estimated Value of Mortgage Tax Incentive:	\$520,000
E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):	\$0

⁴ Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm.

⁵ The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.

XIII. COST BENEFIT ANALYSIS

In order for the City of Albany Industrial Development Agency (the “Agency”) to prepare a Cost/Benefit Analysis for a proposed project (the “Project”), the Applicant must answer the questions contained in this Project Questionnaire (the “Questionnaire”). Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, community benefits (including community commitment as described in the Agency’s Project Evaluation and Assistance Framework), etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary (“Company”):	1415 Washington Property LLC	
2. Brief Identification of the Project:	Student Housing	
3. Estimated Amount of Project Benefits Sought:	\$ 7,910,644	
A. Amount of Bonds Sought:		\$0
B. Value of Sales Tax Exemption Sought		\$2,544,000
C. Value of Real Property Tax Exemption Sought		\$4,846,644
D. Value of Mortgage Recording Tax Exemption Sought		\$520,000
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<div style="border: 1px solid black; padding: 5px;">Project will be constructed in single phase</div>		

PROJECTED PROJECT INVESTMENT

A. Land-Related Costs	
1. Land acquisition	\$ 9,000,000
2. Site preparation	\$ 1,390,000
3. Landscaping	\$ 200,000
4. Utilities and infrastructure development	\$ 350,000
5. Access roads and parking development	
6. Other land-related costs (describe)	\$ 550,000
B. Building-Related Costs	
1. Acquisition of existing structures	
2. Renovation of existing structures	
3. New construction costs	\$ 54,945,770
4. Electrical systems	
5. Heating, ventilation and air conditioning	
6. Plumbing	
7. Other building-related costs (describe)	\$ 1,576,900
C. Machinery and Equipment Costs	
1. Production and process equipment	
2. Packaging equipment	
3. Warehousing equipment	
4. Installation costs for various equipment	
5. Other equipment-related costs (describe)	
D. Furniture and Fixture Costs	
1. Office furniture	\$ 2,476,020
2. Office equipment	\$ 523,980
3. Computers	
4. Other furniture-related costs (describe)	
E. Working Capital Costs	
1. Operation costs	\$ 850,000
2. Production costs	
3. Raw materials	
4. Debt service	\$ 3,500,000
5. Relocation costs	
6. Skills training	
7. Other working capital-related costs (describe)	
F. Professional Service Costs	
1. Architecture and engineering	\$ 2,500,000
2. Accounting/legal	\$ 222,000
3. Other service-related costs (describe)	\$ 335,417
G. Other Costs	
1. _____	\$ 777,126
2. _____	\$ 748,557
H. Summary of Expenditures	
1. Total Land-Related Costs	\$ 11,490,000
2. Total Building-Related Costs	\$ 56,522,670
3. Total Machinery and Equipment Costs	\$ 0
4. Total Furniture and Fixture Costs	\$ 3,000,000
5. Total Working Capital Costs	\$ 4,350,000
6. Total Professional Service Costs	\$ 3,057,417
7. Total Other Costs	\$ 1,525,683
	\$ 79,945,770

PROJECTED NET OPERATING INCOME

I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	\$ 4,677,943	\$ 5,614,695
2	\$ 4,764,533	\$ 5,783,136
3	\$ 4,907,469	\$ 5,956,630
4	\$ 5,054,693	\$ 6,135,329
5	\$ 5,206,334	\$ 6,319,388

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	0		
Year 1	150	10000000	700000
Year 2	150	92000000	644000
Year 3			
Year 4			
Year 5			

PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	\$ 326,000
Additional Sales Tax Paid on Additional Purchases	\$ 26,100
Estimated Additional Sales (1 st full year following project completion)	
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILIOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$431,640	\$431,640	\$0
Year 1	\$ 440,273	\$440,273	\$0
Year 2	\$ 449,078	\$ 449,078	\$0
Year 3	\$ 458,060	\$ 458,060	\$0
Year 4	\$ 467,221	\$ 467,221	\$0
Year 5	\$ 476,565	\$ 476,565	\$0
Year 6	\$ 486,097	\$ 486,097	\$0
Year 7	\$ 495,819	\$ 542,646	\$46,827
Year 8	\$505,735	\$ 601,263	\$95,528
Year 9	\$515,850	\$ 662,007	\$146,157
Year 10	\$526,167	\$ 724,941	\$198,774
Year 11	\$536,690	\$ 790,127	\$253,437
Year 12	\$547,424	\$ 857,631	\$310,207
Year 13	\$558,372	\$ 927,519	\$369,146
Year 14	\$569,540	\$ 999,859	\$430,319
Year 15	\$580,931	\$ 1,074,722	\$493,791
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			
			\$ 2,344,187

ADDITIONAL COMMUNITY BENEFITS

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- | | |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation; | (L) Downtown Residential; |
| (B) EEO; | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization; | (N) Identified Catalyst Site; |
| (D) Inclusionary Housing; | (O) Historic Preservation; |
| (E) Regional Labor; | (P) Community Catalyst; |
| (F) City of Albany Labor; | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program; | (R) Technology; |
| (H) Distressed Census Tract; | (S) Hospitality; |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and |
| (J) Downtown BID; | (U) Conversion to Residential. |
| (K) Neighborhood Plan; | |

The project will include important community benefits including MWBE/DBE participation, EEO workforce utilization, City of Albany labor, and contractors with licensed apprenticeship programs. This student housing project will also significantly benefit the local economy. A 2012 study conducted by Brown University determined that students living in off-campus housing spent approximately \$11,400 in the local economy during the academic year. For this project, that would amount to \$6,384,000.00 a year in local spending (11,400 x 560 beds).

XIV. OTHER

Is there anything else the Agency's board should know regarding this Project?

Since its founding in 2011, Scenic Investments has built a reputation for delivering exceptional properties crafted to stand out in high growth markets popular with millennials. Led by three principals with a combined 33 years of real estate experience including analysis, underwriting and development, our team understands that attention to detail is necessary to create communities destined for long term success.

Scenic Investments pairs the right location with the right project to deliver on the unique needs of each city in which it develops. Our buildings provide an authentic, high quality living experience that promotes a sense of belonging and community among residents.

We believe we can continue this tradition in Albany and value the opportunity to do so.

DATED: JULY 18, 2019

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: 12/17/20

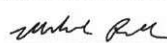
**Name of Person Completing Project
Questionnaire on behalf of the Company.**

Name: Michael Pullman

Title: Partner

Phone Number: 248-514-4599

Address: 20 West 64th Street
New York, NY 10023

Signature: 

REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

[redacted] (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the [redacted] (title) of [1415 Washington Property] (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. Job Listings. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. City Human Rights Law. The applicant has reviewed the provisions of Chapter 48, Article III of the City Code, entitled "The Omnibus Human Rights Law" and agrees to comply with such provisions to the extent that such provisions are applicable to the applicant and the Project.

D. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

E. Annual Employment Reports. The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Agency, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.

F. Local Labor Information. The applicant is aware of and understands the provisions of Part 24 of the Policy Manual of the Agency. Pursuant to Part 24 of the Policy Manual of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the Company's contact person responsible and accountable for providing information about the bidding for and awarding of construction contracts relative to this Application and the Project, (ii) the

nature of construction jobs created by the Project, including the number, type, and duration of construction positions; and (iii) submit to the Agency a "Construction Completion Report" listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the Project.

G. Additional Fee for Low Income Housing/Tax Credit (9% only) Projects. An annual administrative fee equal to \$10,000 shall be payable annually by the applicant on each January 1 for a term equal to ten (10) years. This annual administrative fee is in addition to the standard administrative fee for Agency Straight Lease Transactions and Agency Bond Transactions and is applicable to Projects which provide for low income housing/tax credit (9% only) projects.

H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain "recapture events" occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

I. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understand that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

J. Post-Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.

K. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

L. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

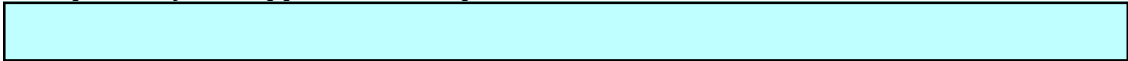


M. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

N. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

O. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

P. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:



Q. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at www.albanyida.com.

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

S. Change in Control of Project Applicant. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

DATED: JULY 18, 2019

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

Michael Pullara, being first duly sworn, deposes and says:

1. That I am the a member (Corporate Office) of 1415 Washington Property, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.

Michael Pullara
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 17 day of December, 2020

[Signature]
(Notary Public)

ANDREW BRICK
Notary Public, State of New York
No. 02BR6032882
Qualified in Albany County
Commission Expires November 08, 2021

DATED: JULY 18, 2019

HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: *Michael R. [Signature]*

Sworn to before me this
17 day of December, 2020

[Signature]
(Notary Public)

ANDREW BRICK
Notary Public, State of New York
No. 02BR6032882
Qualified in Albany County
Commission Expires November 08, 2021

SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

Should you need additional space, please attach a separate sheet.

**NEW YORK STATE FINANCIAL REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
 - a. Name of the Project financed with the bond proceeds.
 - b. Whether the Project occupant is a not-for-profit corporation.
 - c. Name and address of each owner of the Project.
 - d. The estimated amount of tax exemptions authorized for each Project.
 - e. The purpose for which the bond was issued.
 - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
 - g. Bond maturity date.
 - h. Federal tax status of the bond issue.
 - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
 - a. Name of the Project.

DATED: JULY 18, 2019

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:



Name:

Michael Pullman

Title:

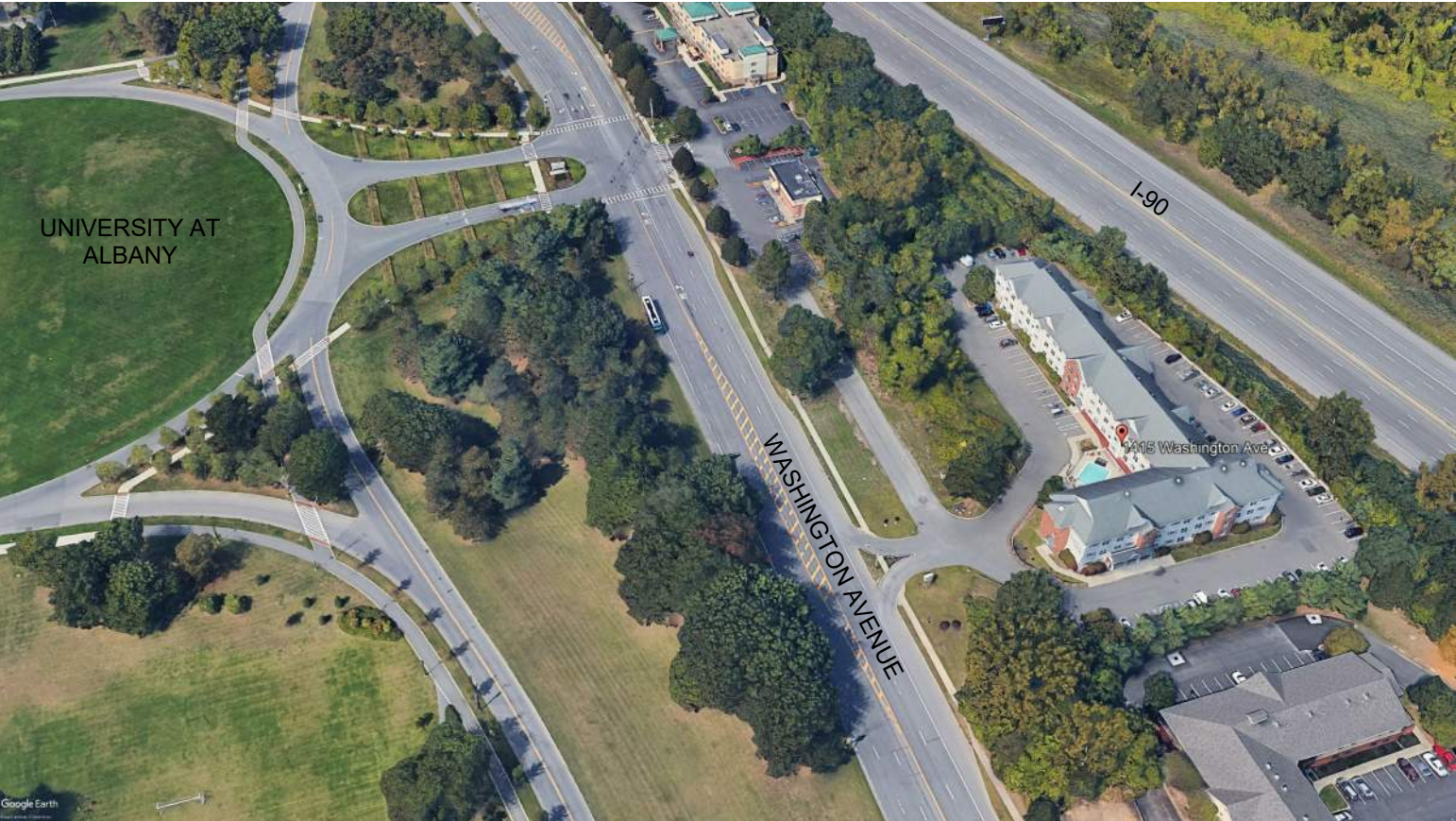
Partner

Company:

1415 Washington Property LLC

Date:

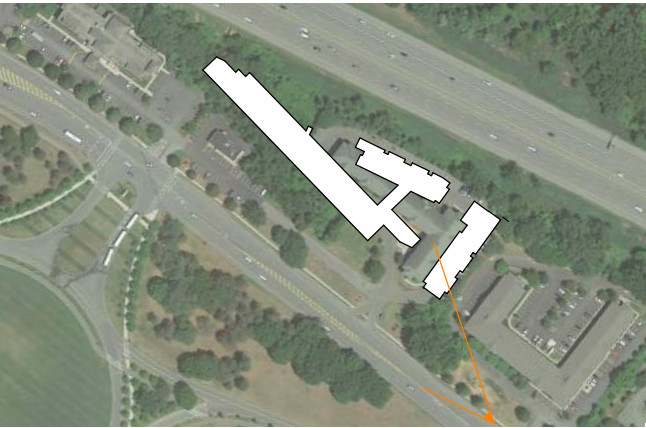
12/17/20



BEFORE AERIAL VIEW



AFTER



VIEW KEY

1415 Washington Property Associates, LLC - DRAFT PILOT - with \$70-79,999 Multi Fam Community Commitment

PILOT Year	City & County Tax Year	School Tax Year	Tax Rate ⁽⁴⁾	Status Quo		Proposed Project										
							Normal Tax									
				Estimated Total 2020 Assessment ⁽⁵⁾	Estimated Total Taxes ⁽⁶⁾	Base Assessment ⁽⁷⁾	Estimated Total Improved Assessment ⁽⁸⁾	Estimated Total Taxes w/o PILOT ⁽⁹⁾	Estimated Total Taxes w/o PILOT Per Unit ⁽¹⁰⁾	Estimated PILOT Payments ⁽¹¹⁾	Estimated PILOT Payments ⁽¹²⁾	Estimated Abatement ⁽¹³⁾	Estimated PILOT Payments Per Unit ⁽¹⁴⁾	Estimated Abatement Per Unit ⁽¹⁵⁾	% Abatement on Total Assessment ⁽¹⁶⁾	% Abatement on Improved Assessment ⁽¹⁷⁾
Construction ⁽¹⁾	2021	2021/2022	\$49.90	\$7,000,000	\$349,300		-	-	-	-	-	-	-	-	-	-
Construction	2022	2022/2023	\$50.90	\$7,000,000	\$356,286	\$9,000,000	\$17,500,000	\$890,715	\$3,758	-		-	-	-	-	-
1 ⁽²⁾	2023	2023/2024	\$51.92	\$7,000,000	\$363,412	\$9,000,000	\$17,500,000	\$908,529	\$3,833	\$467,244	Not Applicable	\$441,286	\$1,971	\$1,862	48.57%	100%
2	2024	2024/2025	\$52.95	\$7,000,000	\$370,680	\$9,000,000	\$17,500,000	\$926,700	\$3,910	\$476,589	Not Applicable	\$450,111	\$2,011	\$1,899	48.57%	100%
3	2025	2025/2026	\$54.01	\$7,000,000	\$378,094	\$9,000,000	\$17,500,000	\$945,234	\$3,988	\$486,120	Not Applicable	\$459,114	\$2,051	\$1,937	48.57%	100%
4	2026	2026/2027	\$55.09	\$7,000,000	\$385,655	\$9,000,000	\$17,500,000	\$964,139	\$4,068	\$495,843	Not Applicable	\$468,296	\$2,092	\$1,976	48.57%	100%
5	2027	2027/2028	\$56.20	\$7,000,000	\$393,369	\$9,000,000	\$17,500,000	\$983,421	\$4,149	\$505,760	Not Applicable	\$477,662	\$2,134	\$2,015	48.57%	100%
6	2028	2028/2029	\$57.32	\$7,000,000	\$401,236	\$9,000,000	\$17,500,000	\$1,003,090	\$4,232	\$515,875	Not Applicable	\$487,215	\$2,177	\$2,056	48.57%	100%
7	2029	2029/2030	\$58.47	\$7,000,000	\$409,261	\$9,000,000	\$17,500,000	\$1,023,152	\$4,317	\$525,888	Not Applicable	\$447,263	\$2,430	\$1,887	43.71%	90%
8	2030	2030/2031	\$59.64	\$7,000,000	\$417,446	\$9,000,000	\$17,500,000	\$1,043,615	\$4,403	\$638,096	Not Applicable	\$405,519	\$2,692	\$1,711	38.86%	80%
9	2031	2031/2032	\$60.83	\$7,000,000	\$425,795	\$9,000,000	\$17,500,000	\$1,064,487	\$4,492	\$702,561	Not Applicable	\$361,926	\$2,964	\$1,527	34.00%	70%
10	2032	2032/2033	\$62.04	\$7,000,000	\$434,311	\$9,000,000	\$17,500,000	\$1,085,777	\$4,581	\$769,350	Not Applicable	\$316,426	\$3,246	\$1,335	29.14%	60%
11	2033	2033/2034	\$63.29	\$7,000,000	\$442,997	\$9,000,000	\$17,500,000	\$1,107,492	\$4,673	\$838,530	Not Applicable	\$268,962	\$3,538	\$1,135	24.29%	50%
12	2034	2034/2035	\$64.55	\$7,000,000	\$451,857	\$9,000,000	\$17,500,000	\$1,129,642	\$4,766	\$910,169	Not Applicable	\$219,473	\$3,840	\$926	19.43%	40%
13	2035	2035/2036	\$65.84	\$7,000,000	\$460,894	\$9,000,000	\$17,500,000	\$1,152,235	\$4,862	\$984,338	11.5% of Project Gross Sales/Revenue	\$167,897	\$4,153	\$708	14.57%	30%
14	2036	2036/2037	\$67.16	\$7,000,000	\$470,112	\$9,000,000	\$17,500,000	\$1,175,280	\$4,959	\$1,061,110	11.5% of Project Gross Sales/Revenue	\$114,170	\$4,477	\$482	9.71%	20%
15	2037	2037/2038	\$68.50	\$7,000,000	\$479,514	\$9,000,000	\$17,500,000	\$1,198,785	\$5,058	\$1,140,558	11.5% of Project Gross Sales/Revenue	\$58,227	\$4,812	\$246	4.86%	10%
Permanent ⁽³⁾	2038	2038-2039	\$69.87	\$7,000,000	\$489,090	\$9,000,000	\$17,500,000	\$1,222,725	\$5,159	\$1,222,725						
Estimated Totals ⁽¹⁸⁾					\$6,284,630			\$16,602,291		\$10,568,029		\$5,143,547				

Notes:

(1) Project would likely close with Agency 2Q 2021.

(2) *Estimated start of PILOT payments.*

(3) *Project returns to full taxable status.*

(4) Estimated tax rate (does not include any special ad valorem taxes that are still payable under PILOT) based on City/County 2021 tax year and School 2021/2022 tax year with estimated escalation of 2.0% thereafter.

(5) Assessment value of based on the current 2020 assessment

(6) Estimated taxes if proposed project did not occur (i.e. left status quo).

(7) Assessment value of based on 2020 City of Albany Tax Rolls/property purchase price.

(8) Per letter from the City of Albany Assessor dated 10-19-20.

(9) Estimated taxes if the proposed project occurred without PILOT assistance.

(10) *Estimated PILOT Payments via commercial abatement schedule.*

(11) *Estimated PILOT Payments.*

(12) PILOT Payments in Years 1-12 will be calculated by the schedule listed for Percent Abatement on Improved Assessment. Starting in Year 13 the PILOT Payments will be calculated as the greater of the Percent Abatement on Improved Assessment or 11.5% of Gross Sales/Revenue (*needs to be finalized).

(13) Difference of Estimated PILOT Payments from Estimated Total Taxes w/o PILOT.

(14) *Estimated PILOT Payments Per Unit.*

(15) Difference of Estimated PILOT Payments Per Unit from Estimated Total Taxes w/o PILOT Per Unit.

(16) *Percent Abatement on Total Assessment via PILOT.*

(17) *Percent Abatement on Improved Assessment via PILOT.*

(18) Totals for comparison and analysis during PILOT agreement period only.

Analysis is ONLY an estimate

EXHIBIT A

DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

1415 WASHINGTON PROPERTY, LLC PROJECT

Pursuant to the City of Albany Industrial Development Agency's (the "Agency") Uniform Criteria for the Evaluation of Projects Policy, the following general uniform criteria were utilized by the "Agency" to evaluate and select the project for which the Agency can provide financial assistance. In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of City of Albany, Albany County, New York (the "Public Benefits"):

Description of Evaluation Criteria/Benefit		Applicable to Project (indicate Yes or No)		Criteria Assessment/ Expected Benefit
1.	Retention direct and indirect of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in the Pine Hills neighborhood, thereby promoting the retention of existing jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment and office operations located in the surrounding area.</p>
2.	Creation of direct and indirect new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in the Washington Ave Ext corridor, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 8 new full time equivalent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.</p>

3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The exemptions have been weighed against the cumulative benefits of the Project.</p> <p>NYS Sales and Compensating Use Tax Exemption: \$2,544,000 Mortgage Recording Tax Exemption: \$520,000 Real Property Tax Exemption: \$5,143,547</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Project applicant expects to invest over \$79.9 million of private investment in the Project.
5.	Likelihood of Project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>High likelihood that Project will be accomplished in a timely fashion.</p> <p>The project is expected to receive City of Albany Planning Board approvals in 1Q 2021.</p> <p>The Applicant expects to close on the purchase of the properties in 2021.</p>
6.	Extent of new revenue provided to local taxing jurisdictions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will result in new revenue to local taxing jurisdictions under the proposed PILOT program through the City of Albany IDA.</p> <p>Project will result in an increase in assessed value from the current total assessment: \$7,000,000 (Per City of Albany Commissioner of Assessment and Taxation 2020 Assessment Roll) to the estimated improved total assessment: \$17,500,000 (Per City of Albany Commissioner of Assessment and Taxation).</p>

7.	Other:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The Project will develop an underutilized property and create approximately 8 FTE.</p> <p>The Project commits to utilizing 90% Regional Labor for construction jobs.</p> <p>The Project commits to utilizing 15% City of Albany Labor for construction jobs.</p> <p>The Project commits to 20% of the value of construction contracts will be performed by MWBE entities.</p> <p>The Project commits to 15% of the construction workforce are minorities or women.</p> <p>The Project will increase the consumer base to support local businesses and employers.</p> <p>The Project will have a positive revitalizing effect on the community by developing currently underutilized land in a strategically identified neighborhood location.</p> <p>The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030.</p>
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TO: City of Albany Industrial Development Finance Committee
FROM: City of Albany Industrial Development Agency Staff
RE: 413 North Pearl Assoc, LLC - IDA Application Summary
DATE: February 5, 2021

Applicant: 413 North Pearl Assoc, LLC

Managing Members (% of Ownership): Tom Rossi, John Blackburn, and Jeffrey Buell (Each owner controls 33% of the Corporation).

Project Location: 425 N. Pearl Street, Albany, NY

Project Description: The project involves the historic redevelopment of an approx. 90,000 SF structure at 413-25 N. Pearl Street into 80 market rate residential rental apartments and +/- 13,500 SF of commercial space. The project will also include 54 off-street parking spaces. The site is currently occupied by CMP Industries.

Estimated Investment: \$17,925,000 (est)

Community Benefits: Please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below.

- *Revitalization:* The project is located in a high vacancy census tract.
- *Identified Priority:* The project involves the Historic Preservation of the property. The project supports multiple initiatives in the Albany 2030 Plan.
- *Identified Growth Area:* The proposed project involves the conversion of the property to a residential use.
- *Job Creation:* The project is committing to the creation of 2 permanent and 75 construction jobs.
- *Investment:* The project is anticipating a project cost of more than \$17 million.

Employment Impact:

- Projected Permanent: 2 FTE jobs
- Projected Retained: 0 jobs – there are currently 12 jobs on-site which are expected to relocate
- Projected Construction: 75 jobs

Type of Financing: Straight Lease

Amount of Bonds Requested: None

Estimated Total Purchases Exempt from Sales Tax: \$5,680,000

Estimated Total Mortgage Amount: \$12,200,000

Requested PILOT: N/A (Applicant is seeking as-of-right 485a through the City of Albany.)

Estimated Value of Tax Exemptions:

- NYS Sales and Compensating Use Tax: \$454,000
- Mortgage Recording Taxes: \$122,000
- Real Property Taxes: N/A
- Other: N/A

Baseline Requirements:

- Application: Complete
- Meets NYS/CAIDA Requirements: Yes
- Albany 2030 Alignment:
 - Encourage investment in urban land and buildings for employment and housing.
- Planning Approval Status: Expected 1Q 2021
- Meets Project Use Definition: Yes
- Meets “But For” Requirement: Yes, affidavit signed.

Cost Benefit Analysis: See attached Exhibit A: Description of The Project Evaluation and Expected Public Benefits.

Estimated IDA Fee

- Fee amount: \$89,625

CAIDA Mission:The purpose of the Industrial Development Agency is to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities. The Agency aims to protect and promote the health of the inhabitants of the City of Albany by the conservation, protection and improvement of the natural and cultural or historic resources and environment and to control land, sewer, water, air, noise or general environmental pollution derived from the operation of industrial development.



Redburn Development Partners

204 Lafayette Street
Schenectady, NY 12305

www.redburndev.com

January 4, 2021

City of Albany Industrial Development Agency
c/o Department of Economic Development
21 Lodge St.
Albany, NY 12207

IDA Board Members,

It is my pleasure to introduce you to Redburn's latest project in the City of Albany: the historic redevelopment of 425 North Pearl Street. Located in the heart of Albany's Warehouse District, this project will transform a 90,000 square feet warehouse into 80 market rate apartments and more than 13,000 square feet of commercial space.

The project consists of selective demolition of interior walls and finishes, asbestos and lead paint abatement, construction of 80 apartments featuring modern-industrial finishes, installation of new floor-to-ceiling factory windows, and vast site improvements including increased green space. Exterior improvements and the addition of greenery will increase the walkability of Broadway, a critical corridor connecting the Warehouse District and Downtown. Construction of the project is expected to begin in Spring of 2021 and conclude in early 2022.

Once complete, the project will result in two full-time equivalent jobs and approximately 100 new residents. Although the exact use and tenant is yet to be decided, the 13,500 square feet of commercial space will offer a unique service or product to the Warehouse District, while also attracting customers from the greater Capital Region.

The four-story warehouse is on the verge of being left vacant, as its lone tenant is in the process of vacating the space. This project injects new life into the century old structure, resulting in a neighborhood vibe in the center of Albany's Warehouse District. Currently an emerging area with upstart breweries and restaurants, this \$20 million investment will catapult the district into a 18-hour hub of economic activity. The project will attract further investment into the Warehouse District, resulting in a secondary economic core distinct from Downtown and the rest of the City.

It is Redburn's goal to grow our region's cities and towns through socially responsible development and community partnership. The City of Albany Industrial Development Agency has been an incredible partner in helping to achieve that goal. We hope to continue that partnership with this new project. An application for financial assistance for the redevelopment of 425 North Pearl Street is included with this letter. Thank you for your consideration of this application.

Sincerely,

Jeffrey Buell
Principal
Redburn Development Partners



Redburn Development Partners

204 Lafayette Street
Schenectady, NY 12305
518-631-3722

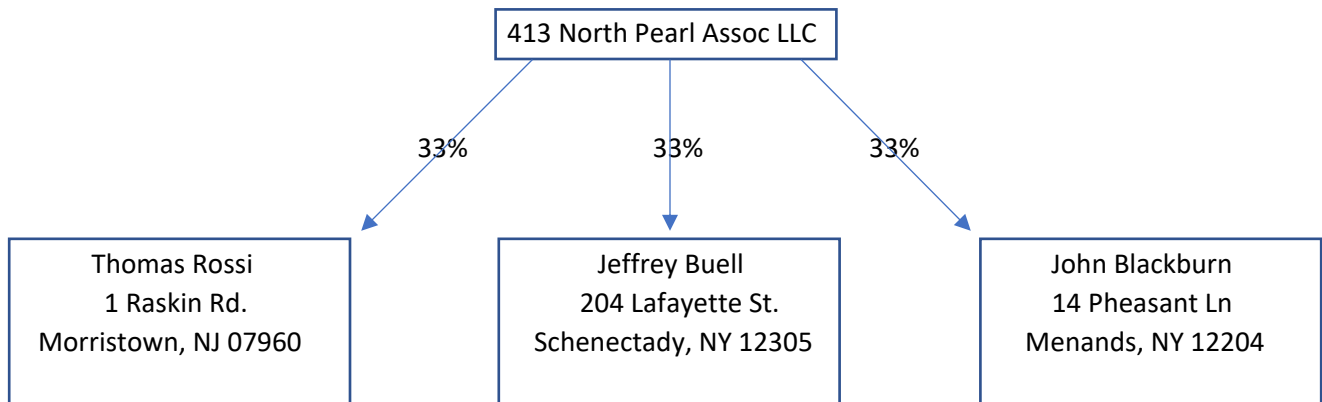
www.redburndev.com

City of Albany Industrial Development Agency Application for Assistance: Exhibits and Attachments

Applicant: 413 North Pearl Assoc LLC

Project Address: 425 N Pearl St.

Attachment A: Company Ownership



City of Albany Industrial Development Agency

Application for Assistance

Date: 1/4/2021

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY
c/o Department of Economic Development
21 Lodge Street
Albany, New York 12207

This application respectfully states:

APPLICANT:

Name: 413 North Pearl Assoc LLC

Address: 204 Lafayette St. Suite 2

City: Schenectady

State: NY

Zip: 12305

Federal ID/EIN: 85-3534794

Website:

Primary Contact: Jeffrey Buell

Title: Principal

Phone: 5189448674

Email: jbuell@redburndev.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

Jeffrey Buell

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: Paul V. Sciocchetti

ATTORNEY'S ADDRESS: 800 Troy-Schenectady Road, Suite 102

PHONE: 5188673001

E-MAIL: pvs1@pvslaw.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 3 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return one (1) copy of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency’s bonds issued to finance the Project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency’s general counsel and bond counsel, may be considered as a part of the Project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.
10. The Agency has also established an administrative fee equal to (A) one percent (1%) of the cost of the Project in the case of an Agency Straight Lease Transaction, and (B) one percent (1%) of the aggregate principal amount of the bonds to be issued by the Agency in the case of an Agency Bond Transaction. The Agency has also established an administrative fee for the issuance of refunding bonds for Agency Bond Transactions. The formula for the calculation of the administrative fee for the issuance of refunding bonds is outlined in the Agency’s Policy Manual. THESE FEES ARE PAYABLE ON THE CLOSING DATE.

DATED: JULY 18, 2019

Answer all questions. Use "None" or "Not Applicable" where necessary.

SUMMARY OF PROJECT

Applicant: 413 North Pearl Assoc LLC

Contact Person: Jeffrey Buell

Phone Number: 5189448674

Occupant: 413 North Pearl Assoc LLC

Project Location (include Tax Map ID): 425 North Pearl St. (65.16-3-16.1)

Approximate Size of Project Site: 1.52 Acres

Description of Project: Historic renovation of the soon to be vacant four-story warehouse at 425 North Pearl Street into 80 market-rate apartments and more than 13,500 square feet of commercial space. The project will include 54 on-site parking spaces, bicycle storage, and indoor and outdoor amenity space.

Type of Project: ☐ Manufacturing ☐ Warehouse/Distribution
☐ Commercial ☐ Not-For-Profit
☒ Other-Specify Mixed-Use

Employment Impact: Existing FTE Jobs: 12
Retained FTE Jobs: 0
FTE Jobs Created: 2
Construction Jobs Created: 75

Project Cost: 17925000

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ Straight Lease

Amount of Bonds Requested: 0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	454400
Mortgage Recording Taxes:	122000
Real Property Tax Exemptions: (auto-calculated)	0
Other (please specify):	0

Provide estimates for the following:

Average Estimated Annual Salary of Jobs to be Created:	45000
Annualized Salary Range of Jobs to be Created:	34-56,000
Estimated Average Annual Salary of Jobs to be Retained:	0

I. APPLICANT INFORMATION

A) Applicant:

Name: 413 North Pearl Assoc LLC

Address: 204 Lafayette St. Suite 2

City: Schenectady

State: NY

Zip: 12305

Federal ID/EIN: 85-3534794

Website:

Primary Contact: Jeffrey Buell

Title: Principal

Phone: 5189448674

Email: jbuell@redburndev.com

B) Real Estate Holding Company (if different from Applicant):

Will a separate company hold title to/own the property related to this Project? If yes:

Name:

Address:

City:

State:

Zip:

Federal ID/EIN:

Website:

Primary Contact:

Title:

Phone:

Email:

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):

Name: HOWES REAL ESTATE, LLC
Title:
Address: 413 N Pearl St.
City: Albany State: NY Zip: 12207
Phone: 5184343147 Email: howed@nobillium.com

D) Attorney:

Name: Paul V. Sciocchetti
Firm Name: Sciocchetti Abbott Newkirk, PLLC
Address: 800 Troy Schenectady Rd. Suite 102
City: Latham State: NY Zip: 12305
Phone: 5188673001 Email: pvs1@pvslaw.com

E) General Contractor:

Name: Redburn Property Services. LLC
Firm Name: Redburn Property Services, LLC
Address: 172 River St. Suite D
City: Troy State: NY Zip: 12180
Phone: 5183444543 Email: info@redburndev.com

II. APPLICANT'S COMPANY OWNERSHIP & HISTORY**A) Company Organization:**Year founded: Founded in which state: NAICS Code: Type of ownership (e.g., C-Corp, LLC): **B) Company Management**

Name	Office Held	Other Principal Business
Thomas Rossi	Member	
Jeffrey Buell	Member	
John Blackburn	Member	

Company Ownership:

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights
Thomas Rossi	Member	33.3%	33.3%
Jeffrey Buell	Member	33.3%	33.3%
John Blackburn	Member	33.3%	33.3%

Is the Applicant or management of the company now a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been a plaintiff or a defendant in any civil or criminal litigation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been charged with a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above ever been convicted of a crime other than a minor traffic violation?

☐ Yes ☒ No

If yes, describe:

Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?

☐ Yes ☒ No

If yes, describe:

C) Company Description:

Describe in detail the Company's background, products, customers, goods and services:

Limited liability company created in 2020 to conduct business in the state of New York, primarily the development, leasing, and management of real property in the City of Albany.

Existing Banking Relationship(s):

None

Has the Company ever received incentives tied to job creation?

☐

Yes

☒

No

If yes, describe:

Were the goals met?

☐

Yes

☐

No

☒

N/A

If no, why not?

Additional sheets may be attached, if necessary.

III. PROJECT DESCRIPTION AND DETAILS

A) Assistance requested from the Agency:

Select all that apply:

- ☒ Exemption from Sales Tax
- ☒ Exemption from Mortgage Tax
- ☐ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify:

B) Project Description:

Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

Summary: (Please provide a brief narrative description of the Project.):

Historic renovation of the four story warehouse at 425 North Pearl Street into 80 market-rate apartments and more than 13,500 square feet of commercial space. The project will include 54 on-site parking spaces, bicycle storage, and indoor and outdoor amenity space.

Location of Proposed Project:

Street Address - Tax Map ID(s):

Is the Applicant the present legal owner of the Project site? ☐ Yes ☒ No

If yes: Date of Purchase: Purchase Price:

If no:

1. Present legal owner of the Project site:

2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☐ Yes ☒ No

If yes:

3. Does the Applicant have a signed option to purchase the site? ☒ Yes ☐ No ☐ N/A

If yes: Date option signed: Date option expires:

Is the Project site subject to any property tax certiorari? ☐ Yes ☒ No

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

How many units will the project encompass (include total of number of commercial and residential units)?

How many square feet of commercial space will the project entail?

Historic renovation of the four story building at 425 N Pearl Street into 80 market-rate apartments and more than 13,500 square feet of commercial space. The scope of work will include abatement of asbestos containing materials, selective demolition of existing interior walls and finishes, and construction of 80 market-rate apartments. The apartments will be a mix of studio, one, and two bedroom units offering industrial finishes and large warehouse windows. The scope of work also includes the fit-up of 13,500 square feet of existing warehouse space for a new commercial tenant. The project site will also receive needed improvements including new windows, a resurfaced and striped parking lot, and added green space.

The purpose of this project is to advance the transformation of Albany's emerging Warehouse District into a 24-hour neighborhood. This project will result in a vibrancy and walkability in the Warehouse District that will make it a economic hub that compliments the Downtown core.

We expect to begin work in Summer of 2021 and complete the project in Summer of 2022.

Redburn will access Historic Tax Credit's to complete the project.

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☒ No

If yes, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Service* |
| <input type="checkbox"/> Acquisition of existing facility | <input type="checkbox"/> Back-office |
| <input checked="" type="checkbox"/> Housing | <input checked="" type="checkbox"/> Mixed use |
| <input type="checkbox"/> Multi-tenant | <input type="checkbox"/> Facility for Aging |
| <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Civic facility (not-for-profit) |
| <input checked="" type="checkbox"/> Retail* | <input type="checkbox"/> Other |

* The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law, or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.

Note that it is the position of the Agency that housing projects constitute "retail projects," as such term is defined under the IDA Statute.

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1. TBD	TBD	15
2.		
3.		

Are there existing buildings on project site? ☒ Yes ☐ No

a. If yes, indicate number and approximate size (in square feet) of each existing building: 91,851

b. Are existing buildings in operation? ☒ Yes ☐ No ☐ N/A

If yes, describe present use of present buildings:

Light Manufacturing

c. Are existing buildings abandoned? ☐ Yes ☒ No ☐ N/A

About to be abandoned?

☒ Yes ☐ No ☐ N/A

If yes, describe:

Existing tenant is in the process of vacating the building. Building will be vacant by May 2021.

d. Attach photograph of present buildings.

IV. RETAIL QUESTIONNAIRE

(Fill out if end users are “retail” or “service” as identified in Section III)

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or purchase services.

- A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site?¹ ☒ Yes ☐ No
- If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

- B) What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project?

100%

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project. If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire. If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Capital Region Economic Development Region (i.e., Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren, and Washington counties)? ☐ Yes ☒ No
2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☒ Yes ☐ No
3. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? ☐ Yes ☒ No
If yes, explain:
4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: <https://esd.ny.gov/empire-zones-program>)? ☐ Yes ☒ No
If yes, explain:
5. Will the Project be in a “highly distressed” census tract (as defined by the United States Census Bureau <https://factfinder.census.gov/>) ☐ Yes ☒ No

If yes, explain:

Census tract 11 is an eligible adjacent census tract.

Note that it is the position of the Agency that housing projects constitute “retail projects,” as such term is defined under the IDA Statute. Accordingly, please answer “yes” and insert “100%” if your project is a housing project.¹

V. ENVIRONMENTAL REVIEW AND PERMITTING

The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.

Environmental Assessment Form: ☐ Short Form ☒ Long Form

Lead Agency: City of Albany Planning Department

Agency Contact: Brad Glass

Date of submission: 10/19/20

Status of submission: Pending Board Approval

Final SEQRA

determination:

A) Site Characteristics:

Describe the present zoning and land use regulation: MU-FW

Will the Project meet zoning and land use regulations for the proposed location? ☒ Yes ☐ No

Is a change in zoning and land use regulation is required? ☐ Yes ☒ No

If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

Historic environmental conditions pose no threat to current or future use.

Does part of the Project consist of a new building or buildings?

☐ Yes ☒ No

If yes, indicate number and size of new buildings:

Does part of the Project consist of additions and/or renovations to the existing buildings?

☒ Yes ☐ No

If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

The entire building, more than 90,000 square feet, will be renovated. The renovation is primarily interior, with the facades and structure of the building remaining in-tact. There will be limited removal of existing walls, mechanicals, and finishes. The renovation will conclude with the construction of 80 market rate apartments featuring modern-industrial finishes.

VI. INTER-MUNICIPAL MOVE DETERMINATION

The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☒ No

If yes to either question above, explain how notwithstanding the aforementioned closing or activity reduction, the Agency's financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality?

Within New York State: ☐ Yes ☒ No

Within the City of Albany: ☐ Yes ☒ No

If yes, explain:

VII. EMPLOYMENT INFORMATION**A) Current and Projected Employee FTEs ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):**

	Current FTEs	Projected FTEs			
		New Year 1 - 20 ²²	New Year 2 - 20 ²³	New Year 3 - 20 ²⁴	Total Year 4-20 ²⁵
Full-time	12	2	2	2	2
Part-time	0	0	0	0	0
Seasonal	0	0	0	0	0

B) Employment Plan in FTE

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year. ("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected New Permanent FTE			
	Average Annual Salary or Hourly Wage ²	Number of Current FTE	FTE in Year 1 20 ²²	FTE in Year 2 20 ²³	FTE in Year 3 20 ²⁴	Total New FTE by Year 4 20 ²⁵
Professional/Management	\$56,000		1	1	1	1
Administrative						
Sales						
Services						
Manufacturing						
High-Skilled						
Medium-Skilled						
Basic-Skilled						
Other (specify)						
	\$34,000		1	1	1	1
Total (auto-calculated)		0	2	2	2	2

² Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: <https://labor.ny.gov>.

VIII. INDEPENDENT CONTRACTOR RESOURCES

Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.

Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.

("Year One" will begin upon the issuance of Certificate of Occupancy or a Temporary Certificate of Occupancy):

	Current FTEs	Projected			
		New Year 1-2022	New Year 2-2023	New Year 3-2024	Total Year 4-2025
Full-time	0	0	0	0	0
Part-time	0	0	0	0	0
Seasonal	0	0	0	0	0

IX. CONSTRUCTION LABOR

**Construction Jobs are defined by the number of persons individually identified on the pay roll of the General Contractor/Subcontractor in relation to the project.*

Number of construction workers expected to be hired for this Project: 75

When does the applicant anticipate the start of construction? June 2021

When does the applicant anticipate the completion of construction? June 2022

What is the total value of construction contracts to be executed? 12800000

Describe the general contractor's plans and selection process for using regional and/or City of Albany construction labor or regional and/or City of Albany sub-contractors:

Redburn Property Services, LLC will solicit bids from several regional sub-contractor's. The criteria used in the general contractor's selection process will be cost, scope of work, experience, and quality of previous work.

X. PROJECT COSTS AND FINANCING

Attach additional

A) Project Costs

Description of Cost	Amount
Land	0
Buildings	2250000
Machinery and Equipment Cost	0
Utilities, roads and appurtenant costs	0
Architects and engineering fees	2145000
Cost of Bond Issue (legal, financial and printing)	0
Construction loan fees and interest (if applicable)	730000
Other (specify)	
Hard Costs	12800000
TOTAL PROJECT COST (auto-calculated)	17925000

Have any of the above costs been paid or incurred as of the date of this application? ☐ Yes ☒ No

If yes, describe:

B) Sources of Funds for Project Costs

Equity:

1000000

Bank Financing:

12200000

Tax Exempt Bond Issuance:

Taxable Bond Issuance

Public Sources (Include total of all State and Federal grants and tax credits):

Identify each State and Federal program:

State and Federal Historic Tax Credits

4725000

Public Funds Total (auto-calculated):

4725000

Additional sheets may be attached, as necessary.

TOTAL: (auto-calculated)

17925000

Amount of total financing requested from lending institutions:

12200000

Amount of total financing related to existing debt refinancing:

0

Has a commitment for financing been received?



Yes



No

If yes:

Lending Institution: Community Preservation Corporation

Contact:

Mike Skrebutenas

Phone:

5184631776

XI. PROJECT EVALUATION AND ASSISTANCE FRAMEWORK

Project Evaluation and Assistance Framework. If applicable, complete the following Matrix that is part of the Agency's Project Evaluation and Assistance Framework.

Baseline Requirements (Must Achieve All)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Complete Application | <input checked="" type="checkbox"/> Albany 2030 Aligned | <input checked="" type="checkbox"/> Meet Project Use Definition |
| <input checked="" type="checkbox"/> Meets NYS/CAIDA Requirements | <input type="checkbox"/> Planning Approval (if applicant)
Approval Date : <input type="text"/> | <input checked="" type="checkbox"/> "But For" Requirement |

Community Benefit Metrics (Must Achieve 10)

- | | | |
|---|--|---|
| Revitalization
Target Geography
<input type="checkbox"/> Distressed Census Tract
<input checked="" type="checkbox"/> High Vacancy Census Tract
<input type="checkbox"/> Downtown
<input type="checkbox"/> BID
<input type="checkbox"/> Neighborhood Plan | Investment
Financial Commitment (cumulative)
<input checked="" type="checkbox"/> 2.5M - 10M
<input checked="" type="checkbox"/> 10.1 - 17.5M
<input checked="" type="checkbox"/> 17.6M - 25M | Employment
Permanent Jobs (cumulative)
<input type="checkbox"/> 3 - 40
<input type="checkbox"/> 41 - 80
<input type="checkbox"/> 81 - 120
<input type="checkbox"/> 121 - 180
<input type="checkbox"/> > 180 |
| Identified Priority
<input type="checkbox"/> Downtown Residential
<input type="checkbox"/> Tax Exempt/Vacant
<input type="checkbox"/> Identified Catalyst Site
<input checked="" type="checkbox"/> Historic Preservation
<input checked="" type="checkbox"/> Community Catalyst | Community Commitment
<input type="checkbox"/> MWBE/DBE Participation
<input type="checkbox"/> EEO Workforce Utilization
<input type="checkbox"/> Inclusionary Housing
<input type="checkbox"/> Regional Labor
<input type="checkbox"/> City of Albany Labor
<input type="checkbox"/> Apprenticeship Program | Retained Jobs (cumulative)
<input type="checkbox"/> 3 - 40
<input type="checkbox"/> 41 - 80
<input type="checkbox"/> 81 - 120
<input type="checkbox"/> 121 - 180
<input type="checkbox"/> > 180 |
| Identified Growth Area
<input type="checkbox"/> Manufacturing/Distribution
<input type="checkbox"/> Technology
<input type="checkbox"/> Hospitality
<input type="checkbox"/> Existing Cluster
<input checked="" type="checkbox"/> Conversion to Residential | | Construction Jobs (cumulative)
<input checked="" type="checkbox"/> 6 - 80
<input type="checkbox"/> 81 - 160
<input type="checkbox"/> 161 - 240
<input type="checkbox"/> > 240 |

XII. ESTIMATED VALUE OF INCENTIVES

A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the City of Albany Assessor. If you are requesting an exception to the PILOT schedule that cannot be accommodated by the UTEP or the CAIDA Project Evaluation and Assistance Framework, please provide additional sheets indicating the proposed PILOT payments.

Does your project meet the definition of "large project" as defined in the Framework (\$25 Million, 15 Total Acres or Full Service Hotel)? ☐ Yes ☒ No

Current assessed full assessed value of the property **before** Project improvements or the **purchase price of the property**, whichever is higher:

Estimated new assessed full value of property **after** Project improvement based on letter from the City of Albany Assessor:

Estimated real property 2019 tax rate per dollar of full assessment (auto-calculated): **47.9¢**

**assume 2% annual increase in tax rate*

Estimated Completed Assessed Value per Unit based on letter from the City of Albany Assessor:

PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes on Improved Value Without PILOT ³	Estimated Total Without PILOT	PILOT Abatement % based on Framework schedule Abatement percentages must be entered in decimals	*Estimated PILOT Payments
1				<input type="text"/>	
2				<input type="text"/>	
3				<input type="text"/>	
4				<input type="text"/>	
5				<input type="text"/>	
6				<input type="text"/>	
7				<input type="text"/>	
8				<input type="text"/>	
9				<input type="text"/>	
10				<input type="text"/>	
11				<input type="text"/>	
12				<input type="text"/>	
13				<input type="text"/>	
14				<input type="text"/>	
15				<input type="text"/>	
16				<input type="text"/>	
17				<input type="text"/>	
18				<input type="text"/>	
19				<input type="text"/>	
20				<input type="text"/>	
			<input type="text" value="0"/>		<input type="text" value="0"/>

**PILOT payments may not fall short of \$675 per door or .97 per Square Foot as applicable from Framework*

Please note that after year twelve (12) of any Multi-Family Commercial PILOT, a bifurcated structure commences whereby projects shall pay the greater of: (a) scheduled pilot payments as stated by assistance schedule or (b) 11.5% of gross revenue.

Notwithstanding anything herein to the contrary, if the project consists of an **affordable housing project**, the applicant shall make annual payments in lieu of property taxes pursuant to the PILOT Agreement with respect to the project as follows: (i) An amount equal to ten percent (10%) of the shelter rents (rents, excluding the component thereof, if any, attributable to energy and utility costs paid by the applicant) payable by the tenants in connection with the housing project.

If the applicant is requesting assistance that is a deviation from the Agency's UTEP, please refer to the Agency's Project Evaluation and Assistance Framework to determine the appropriate, potential standard deviation abatement schedule: <http://albanyida.com/wp-content/uploads/2012/03/CAIDA-PILOT-Program-Board-Revised-1.pdf>

³ The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

If the Applicant is requesting assistance that is greater than the Agency's standard UTEP deviations identified in the Project Evaluation and Assistance Framework, describe the incentives and provide a justification for this PILOT request:

B) Sales and Use Tax Benefit:

Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.

Costs for goods and services that are subject to State and local sales and use tax ⁴ :	5680000
Estimated State and local sales and use tax benefit (sales tax amount multiplied by .08 plus additional use tax amounts):	454400

C) Mortgage Recording Tax Benefit:

Mortgage amount (include construction, permanent, bridge financing or refinancing):	12200000
Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by .01) ⁵ :	122000

D) Percentage of Project Costs Financed from Public Sector:

Percentage of Project costs financed from public sector: 29.6
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost:	17925000
B. Estimated Value of PILOT (auto-filled):	0
C. Estimated Value of Sales Tax Incentive:	454400
D. Estimated Value of Mortgage Tax Incentive:	122000
E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.):	4725000

⁴ Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links:

<https://www.tax.ny.gov/bus/st/subject.htm> and

https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm.

⁵ The Mortgage Recording Tax in Albany County is equal to 1.25%. However, the Agency is authorized under the IDA Statute to exempt only 1.00%.

XIII. COST BENEFIT ANALYSIS

In order for the City of Albany Industrial Development Agency (the “Agency”) to prepare a Cost/Benefit Analysis for a proposed project (the “Project”), the Applicant must answer the questions contained in this Project Questionnaire (the “Questionnaire”). Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, community benefits (including community commitment as described in the Agency’s Project Evaluation and Assistance Framework), etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary (“Company”):	413 North Pearl Assoc LLC	
2. Brief Identification of the Project:	Renovation of 425 N Pearl	
3. Estimated Amount of Project Benefits Sought:	576400	
A. Amount of Bonds Sought:	0	
B. Value of Sales Tax Exemption Sought	454400	
C. Value of Real Property Tax Exemption Sought	0	
D. Value of Mortgage Recording Tax Exemption Sought	122000	
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Applicant has completed other projects of similar size in the City of Albany.</div>	

PROJECTED PROJECT INVESTMENT

A. Land-Related Costs	
1. Land acquisition	0
2. Site preparation	365000
3. Landscaping	25000
4. Utilities and infrastructure development	25000
5. Access roads and parking development	50000
6. Other land-related costs (describe)	0
B. Building-Related Costs	
1. Acquisition of existing structures	2250000
2. Renovation of existing structures	9433050
3. New construction costs	0
4. Electrical systems	1080800
5. Heating, ventilation and air conditioning	1124100
6. Plumbing	562050
7. Other building-related costs (describe)	0
C. Machinery and Equipment Costs	
1. Production and process equipment	
2. Packaging equipment	
3. Warehousing equipment	
4. Installation costs for various equipment	
5. Other equipment-related costs (describe)	
D. Furniture and Fixture Costs	
1. Office furniture	
2. Office equipment	
3. Computers	
4. Other furniture-related costs (describe)	
E. Working Capital Costs	
1. Operation costs	
2. Production costs	
3. Raw materials	
4. Debt service	
5. Relocation costs	
6. Skills training	
7. Other working capital-related costs (describe)	
F. Professional Service Costs	
1. Architecture and engineering	1960000
2. Accounting/legal	
3. Other service-related costs (describe)	360000
G. Other Costs	
1. _____	690000
2. _____	
H. Summary of Expenditures	
1. Total Land-Related Costs	465000
2. Total Building-Related Costs	14450000
3. Total Machinery and Equipment Costs	0
4. Total Furniture and Fixture Costs	0
5. Total Working Capital Costs	0
6. Total Professional Service Costs	2320000
7. Total Other Costs	690000
	17925000

PROJECTED NET OPERATING INCOME

I. Please provide projected Net Operating Income:

YEAR	Without IDA benefits	With IDA benefits
1	1070830	1099996
2	1102955	1132996
3	1136043	1166986
4	1170125	1201996
5	1205229	1238055

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	75	3098880	195440
Year 1	0	0	0
Year 2	0	0	0
Year 3	0	0	0
Year 4	0	0	0
Year 5	0	0	0

PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent FTE jobs to be preserved or retained as a result of the Project are described in the tables in Section VII of the Application.
- II. Estimates of the total new permanent FTE jobs to be created at the Project are described in the tables in Section VII of the Application.
- III. Please provide estimates for the following:
- A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	0
Additional Sales Tax Paid on Additional Purchases	0
Estimated Additional Sales (1 st full year following project completion)	0
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	0

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): If you are requesting an exception that cannot be accommodated by the auto-calculated fields, please provide additional sheets indicating the proposed PILIOT payments.

Year	Existing Real Property Taxes (Without Project)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	0	0	0
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			
			0

ADDITIONAL COMMUNITY BENEFITS

The City of Albany Industrial Development Agency is supportive of inclusionary development practices. Please indicate which of the below described community benefits (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such benefits, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response). Examples of these benefits include:

- | | |
|--------------------------------|---------------------------------|
| (A) MWBE/DBE Participation; | (L) Downtown Residential; |
| (B) EEO; | (M) Tax Exempt/Vacant Property; |
| (C) Workforce Utilization; | (N) Identified Catalyst Site; |
| (D) Inclusionary Housing; | (O) Historic Preservation; |
| (E) Regional Labor; | (P) Community Catalyst; |
| (F) City of Albany Labor; | (Q) Manufacturing/Distribution; |
| (G) Apprenticeship Program; | (R) Technology; |
| (H) Distressed Census Tract; | (S) Hospitality; |
| (I) High Vacancy Census Tract; | (T) Existing Cluster; and |
| (J) Downtown BID; | (U) Conversion to Residential. |
| (K) Neighborhood Plan; | |

O, U, I, P

XIV. OTHER

Is there anything else the Agency's board should know regarding this Project?



DATED: JULY 18, 2019

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: 1/4/2021

**Name of Person Completing Project
Questionnaire on behalf of the Company.**

Name: Jeffrey Buell

Title: Member

Phone Number: 518-944-8674

Address: 204 Lafayette St. Suite 2

Signature: 

REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Jeffrey Buell (name of CEO or another authorized representative of Applicant) confirms and says that he/she is the Member (title) of 413 North Pearl Assoc L.P. (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. Job Listings. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. City Human Rights Law. The applicant has reviewed the provisions of Chapter 48, Article III of the City Code, entitled "The Omnibus Human Rights Law" and agrees to comply with such provisions to the extent that such provisions are applicable to the applicant and the Project.

D. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

E. Annual Employment Reports. The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Agency, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.

F. Local Labor Information. The applicant is aware of and understands the provisions of Part 24 of the Policy Manual of the Agency. Pursuant to Part 24 of the Policy Manual of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the Company's contact person responsible and accountable for providing information about the bidding for and awarding of construction contracts relative to this Application and the Project, (ii) the

nature of construction jobs created by the Project, including the number, type, and duration of construction positions; and (iii) submit to the Agency a "Construction Completion Report" listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the Project.

G. Additional Fee for Low Income Housing/Tax Credit (9% only) Projects. An annual administrative fee equal to \$10,000 shall be payable annually by the applicant on each January 1 for a term equal to ten (10) years. This annual administrative fee is in addition to the standard administrative fee for Agency Straight Lease Transactions and Agency Bond Transactions and is applicable to Projects which provide for low income housing/tax credit (9% only) projects.

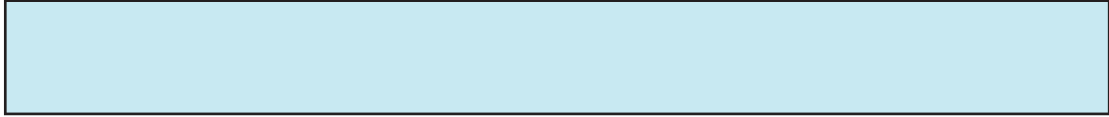
H. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if (a) the project is unsuccessful in whole or in part in delivering the promised Public Benefits, (b) certain "recapture events" occur (e.g., failure to complete the Project, sale or transfer of the Project, failure to make the estimated investment, failure to maintain job employment levels and failure to make annual reporting filings with the Agency).

I. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understand that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

J. Post-Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.

K. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

L. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:



M. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

N. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

O. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

P. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:



Q. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at www.albanyida.com.

R. Onsite Visits. The applicant acknowledges that under the Agency's Policy Manual regarding monitoring and administration of projects, the Project is subject to periodic onsite visits by Agency staff.

S. Change in Control of Project Applicant. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to enter into a merger, sale of the entity, consolidation or sale of ownership interests of the project applicant, the applicant understand that any such merger, sale of the entity, consolidation or sale of ownership interests of the applicant is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

DATED: JULY 18, 2019

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

Jeffrey Burt, being first duly sworn, deposes and says:

1. That I am the member (Corporate Office) of 413 N Pearl Assoc, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate, and complete.

Jeffrey Burt
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury.

This 16 day of January, 2021

Marissa Eagan
(Notary Public)



SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

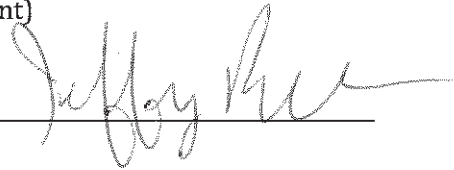
Should you need additional space, please attach a separate sheet.

HOLD HARMLESS AGREEMENT

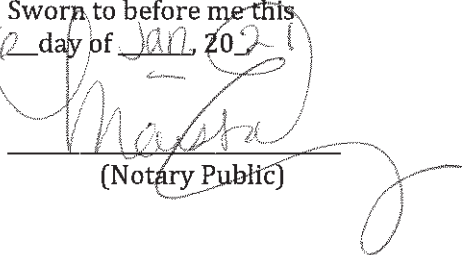
Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

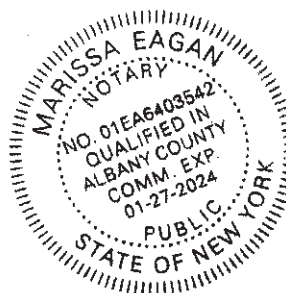
(Applicant)

BY: _____



Sworn to before me this
12 day of Jan, 2021


(Notary Public)



**NEW YORK STATE FINANCIAL REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (<https://www.nysenate.gov/legislation/laws/GMU/859>). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

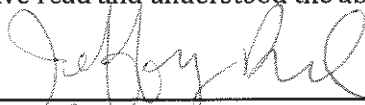
1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
 - a. Name of the Project financed with the bond proceeds.
 - b. Whether the Project occupant is a not-for-profit corporation.
 - c. Name and address of each owner of the Project.
 - d. The estimated amount of tax exemptions authorized for each Project.
 - e. The purpose for which the bond was issued.
 - f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.
 - g. Bond maturity date.
 - h. Federal tax status of the bond issue.
 - i. Estimate of the number of jobs created and retained for the Project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
 - a. Name of the Project.

DATED: JULY 18, 2019

- b. Whether the Project occupant is a not-for-profit corporation.
- c. Name and address of each owner of the Project.
- d. The estimated amount of tax exemptions authorized for each Project.
- e. The purpose for which each transaction was made.
- f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.
- g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature:



Name:

Jeffrey Buehl

Title:

Member

Company:

413 N Pearl Assoc. LLC

Date:

11/6/21

413 North Pearl St.

October 2020 City of Albany Planning Submission Photos



Pearl St Entrance



Pearl St Loading Dock and Entrance



View from corner of N Pearl and Pleasant
Streets



View of North Parking Lot



Looking South on Broadway



East Parking Lot and Rear Main Entrance



Broadway Elevation



Broadway Loading Dock

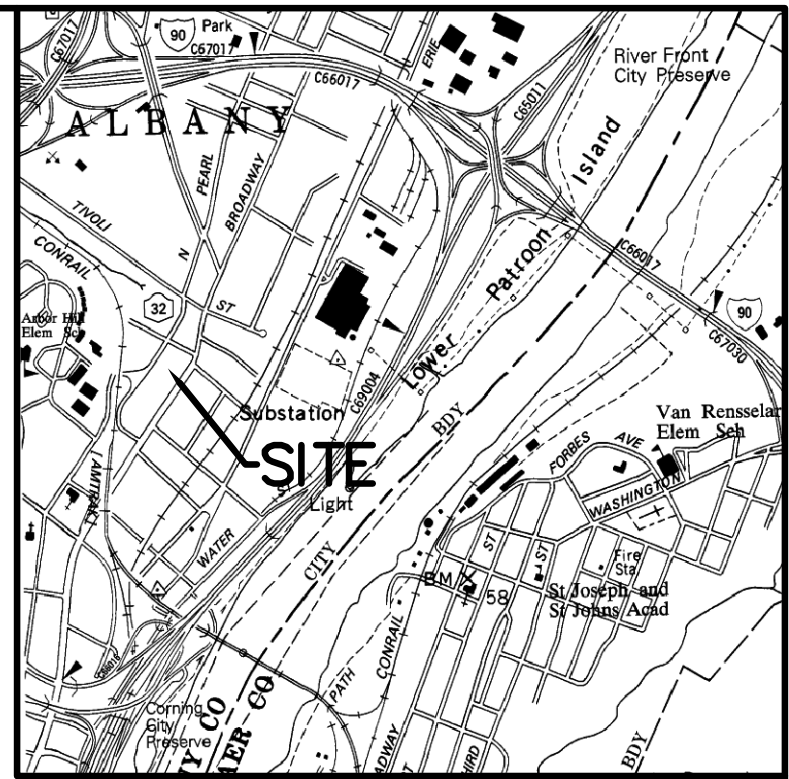


North Elevation



Looking North on Broadway

TOTAL GREEN AREA:
5,000 SF
(7.6% OF SITE AREA)



SITE LOCATION MAP

GENERAL NOTES:

1. BASE MAPING PREPARED BY ABD ENGINEERS, LLP FROM MAP REFERENCE AND GIS DATA.
2. THE PLANS SHOW SOME KNOWN STRUCTURES, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST WITHIN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE ARE MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. PROVIDE (48) HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-962-7962).
3. SITE IS ZONED MU-FW (MIXED-USE FORM-BASED WAREHOUSE).
4. CONSTRUCTION ACTIVITIES THAT DAMAGE THE ROADWAY, SIDEWALKS OR CURBING SHALL BE REPAIRED BY THE OWNER TO THE FULL SATISFACTION OF THE CITY ENGINEER.
5. TRAFFIC MARKINGS DAMAGED DUE TO CONSTRUCTION ACTIVITIES SHALL BE REPLACED TO THE FULL SATISFACTION OF APD TRAFFIC ENGINEERING.
6. VIDEO CAMERA INSPECTION OF THE EXISTING SANITARY SEWER LATERAL MUST BE SUBMITTED TO THE CITY OF ALBANY DEPARTMENT OF WATER & WATER SUPPLY FOR REVIEW. EXISTING LATERAL WITH MAJOR CRACKS AND OR INFILTRATION OF GROUNDWATER WILL NOT BE ACCEPTABLE FOR REUSE. 48 HOURS NOTICE MUST BE GIVEN TO ALBANY DEPARTMENT OF WATER & WATER SUPPLY FOR INSPECTIONS.
7. CHAINLINK FENCE, GATES, AND BARBED WIRE TO BE REMOVED ALONG ENTIRE SITE PERIMETER.

MAP REFERENCES:

1. MAP ENTITLED "MAP SHOWING TOPOGRAPHIC INFORMATION & LOCATION OF BUILDINGS AND IMPROVEMENTS WITH REFERENCE TO PROPERTY LINES OF NO.413 NORTH PEARL STREET CITY OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK", PREPARED BY HERSHBURG & HERSHBURG CONSULTING ENGINEERS AND LAND SURVEYORS, DATED OCTOBER 9, 2020.

PARKING REQUIREMENTS:

USES: MULTI-FAMILY RESIDENTIAL & COMMERCIAL	
MULTI-FAMILY, 82 UNITS	1 SPACE/UNIT [82 SPACES]
COMMERCIAL, 13,500 SF	1 SPACE/400 SF [34 SPACES]
INITIAL REQUIREMENT	116 SPACES
PROXIMITY TO TRANSIT REDUCTION	-20% [93 SPACES]
SHARED PARKING REDUCTION	+ 1.2 [78 SPACES]
AVAILABLE ON-STREET PARKING	24 SPACES
TOTAL REQUIRED ON-SITE:	54 SPACES
TOTAL PROVIDED ON-SITE:	54 SPACES

OWNER/APPLICANT:
413 NORTH PEARL ASSOC LLC
204 LAFAYETTE STREET
SCHENECTADY, NY 12305

TAX MAP #: 65.16-3-16.1
AREA= 66,193± SQ. FT.
1.52± ACRES

LEGEND	
GV	GAS VALVE
WV	WATER VALVE
WSD	WATER SHUT OFF
MH	MANHOLE
CB	CATCH BASIN
UP	UTILITY POLE
LP	LIGHT POLE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
CRF	CAPPED IRON ROD FOUND
CRS	CAPPED IRON ROD SET
BML	BUILDING MOUNTED LIGHT
SIGN	SIGN
—	GAS LINE
—	TELEPHONE LINE
—	WATER LINE
—	UNDERGROUND ELEC LINE
—	STORM LINE
—	SANITARY LINE
—	OVERHEAD UTIL.

PROGRESS
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12/28/20

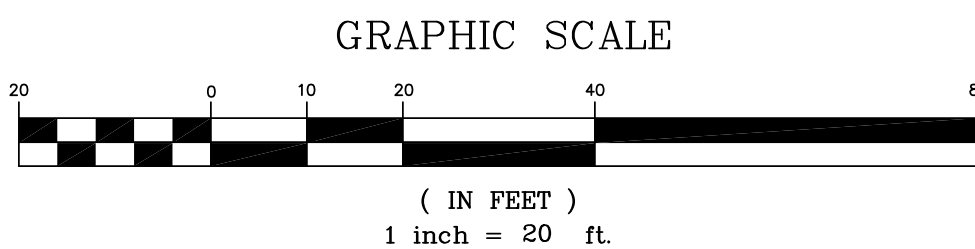
LUIGI A. PALLESCHI, P.E.
N.Y.S. LICENSE NO. 94676

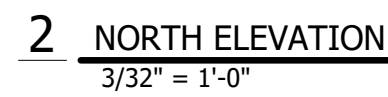
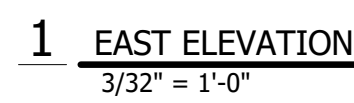
SITE PLAN
MIXED USE BUILDING
425 NORTH PEARL STREET

CITY OF ALBANY COUNTY OF ALBANY

STATE OF NEW YORK
ENGINEERS, LLP
411 Union Street
Schenectady, NY 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DATE: OCTOBER 16, 2020 SCALE: 1" = 20' DWG. 5301A-S6 SHEET 1 OF 1





NOT FOR
CONSTRUCTION

SCHEMATIC
413 N.PEARL ST -
RENOVATIONS

BUILDING ELEVATIONS

2/01/20

20-034

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1 WEST ELEVATION
3/32" = 1'-0"



2 SOUTH ELEVATION
3/32" = 1'-0"

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CONSTRUCTION

PROJECT TITLE

SCHEMATIC
413 N.PEARL ST -
RENOVATIONS

413 N. PEARL ST, ALBANY, NY
12207

SHEET TITLE

BUILDING
ELEVATIONS

CONSULTANT

DRAWN BY

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CHECKED BY

SN

DATE

12/01/20

PROJECT NO.

20-034

REVISIONS

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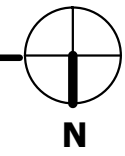
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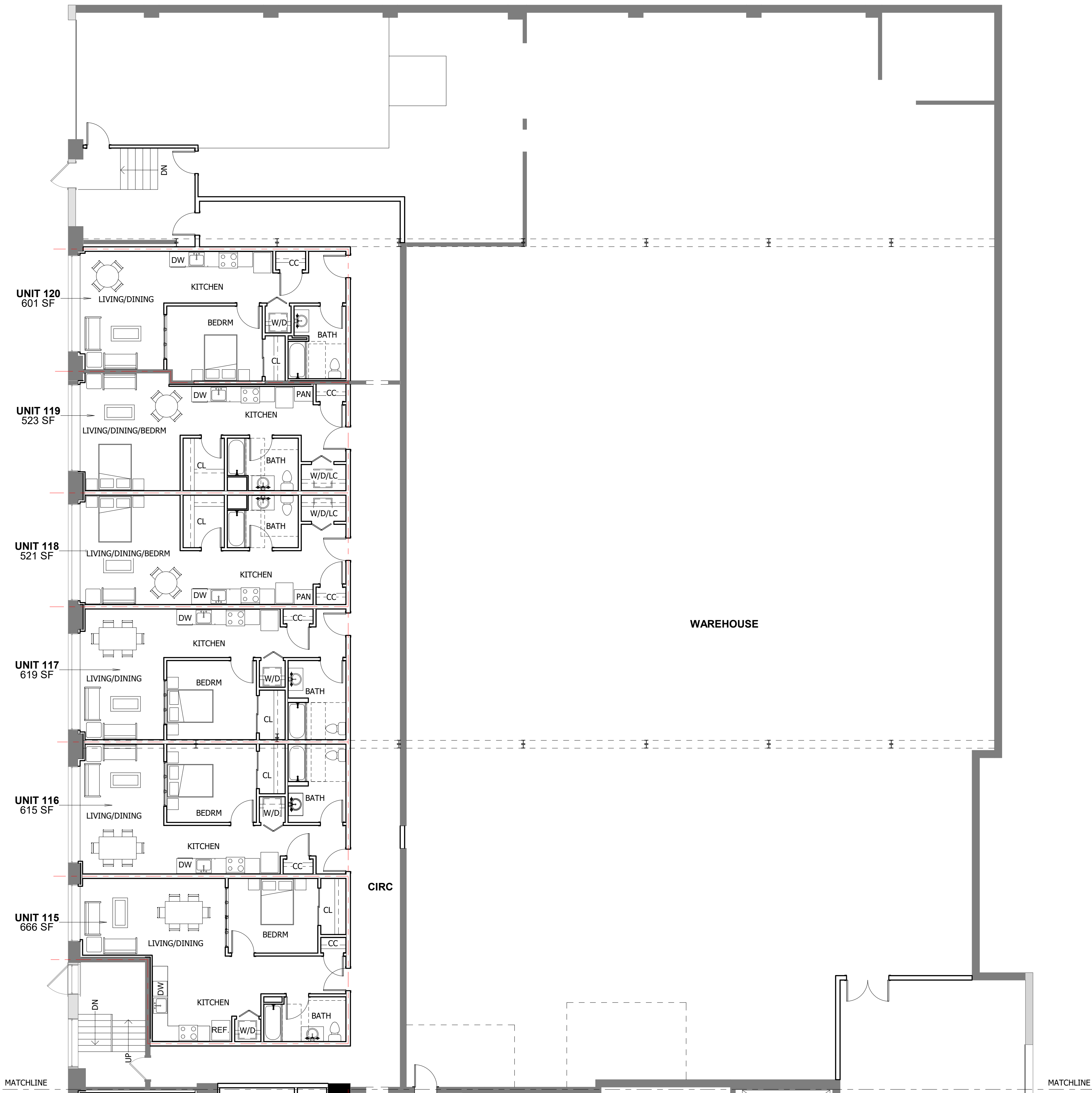
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1 FIRST FLOOR PLAN - A
1/8" = 1'-0"

SYMBOL LEGEND - NEW WORK PLAN	
	EXISTING WALLS TO REMAIN
	NEW WALL
	NEW WALL INFILL IN EXISTING OPENING
	NO NEW WORK FOR ARCHITECTURAL RENOVATIONS
	INFILL FLOOR AT EXISTING RAMP/STEPS
	EXISTING DOOR TO REMAIN
	NEW SWINGING DOOR
	NEW POCKET DOOR
	NEW SLIDING CLOSET DOOR
	NEW 2-PANEL BI-FOLD DOOR
	NEW 4-PANEL BI-FOLD DOOR

FLOOR PLAN GENERAL NOTES

- DO NOT SCALE DRAWINGS.
- VERIFY ALL DIMENSIONS IN FIELD AND REPORT ALL DISCREPANCIES TO THE ARCHITECT FOR RESOLUTION PRIOR TO COMMENCEMENT OF WORK.
- DIMENSIONS ARE TO FACE OF STUD, CENTERLINE OF STRUCTURE, CENTER OF OPENING, OR CENTER OF FIXTURE, UNLESS NOTED OTHERWISE.
- GENERAL CONTRACTOR SHALL MAKE ALL FINAL CONNECTIONS TO MAKE WORK COMPLETE WHETHER INDICATED ON DRAWINGS OR NOT.
- MINOR ITEMS OF WORK SUCH AS CUTTING, TRIM, ETC. SHALL BE PERFORMED AS REQUIRED TO MAKE THE WORK COMPLETE WHETHER SHOWN OR NOTED ON THE DRAWINGS OR NOT.
- PROVIDE BLOCKING TO SUPPORT FIXTURES, EQUIPMENT, SHELVING, GRAB BARS, TOILET ACCESSORIES, MILLWORK, AND SIMILAR WALL MOUNTED CONSTRUCTION AS REQUIRED FOR STABLE INSTALLATION. FIELD VERIFY ALL SUCH LOCATIONS.
- LOCATE DOOR FRAMES 4" MIN FROM NEAREST PERPENDICULAR WALL OR CENTER ON WALL SEGMENT, UNLESS DIMENSIONED OTHERWISE.
- WHERE NO SPECIFIC PRODUCT IS SPECIFIED, CONTRACTOR SHALL PROVIDE PRODUCTS THAT MEET THE INDUSTRY STANDARD AND ARE COMPATIBLE WITH ALL ADJACENT AND ASSOCIATED CONSTRUCTION. WHERE THERE IS AESTHETIC IMPACT, THE CONTRACTOR SHALL SUBMIT THE PROPOSED PRODUCT FOR ARCHITECT'S APPROVAL.
- REFER TO SHEET A100 FOR WALL TYPES, FLOOR/CEILING ASSEMBLIES AND GENERAL PARTITION NOTES.
- SEE MEP AND FP DRAWINGS FOR WORK RELATED TO THE RESPECTIVE TRADES.

SEAL

NOT FOR
CONSTRUCTION

PROJECT TITLE

SCHEMATIC
413 N.PEARL ST -
RENOVATIONS

413 N.PEARL ST, ALBANY, NY
12207

SHEET TITLE

FIRST FLOOR PLAN
- A

CONSULTANT

DRAWN BY

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12/15/20

PROJECT NO.

20-034

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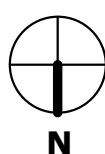
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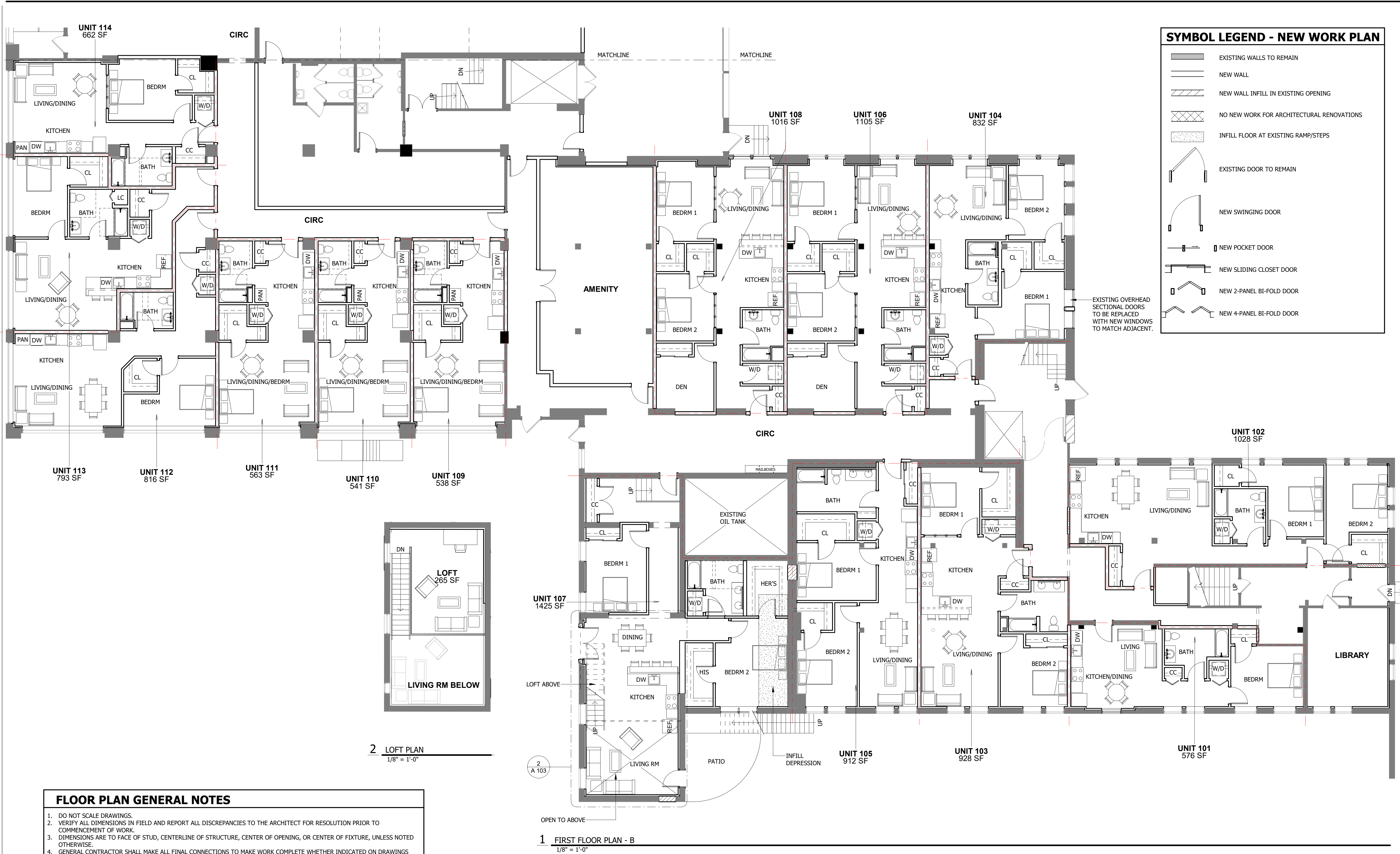
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0' 4' 8' 16' 32'





FLOOR PLAN GENERAL NOTES

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SYMBOL LEGEND - NEW WORK PLAN

- EXISTING WALLS TO REMAIN
- NEW WALL
- NEW WALL INFILL IN EXISTING OPENING
- NO NEW WORK FOR ARCHITECTURAL RENOVATIONS
- INFILL FLOOR AT EXISTING RAMP/STEPS
- EXISTING DOOR TO REMAIN
- NEW SWINGING DOOR
- NEW POCKET DOOR
- NEW SLIDING CLOSET DOOR
- NEW 2-PANEL BI-FOLD DOOR
- NEW 4-PANEL BI-FOLD DOOR

EXISTING OVERHEAD SECTIONAL DOORS TO BE REPLACED WITH NEW WINDOWS TO MATCH ADJACENT.

SEAL

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PROJECT TITLE

SCHEMATIC
413 N.PEARL ST -
RENOVATIONS

413 N.PEARL ST, ALBANY, NY
12207

SHEET TITLE

FIRST FLOOR PLAN
- B

CONSULTANT

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PROJECT NO.

20-034

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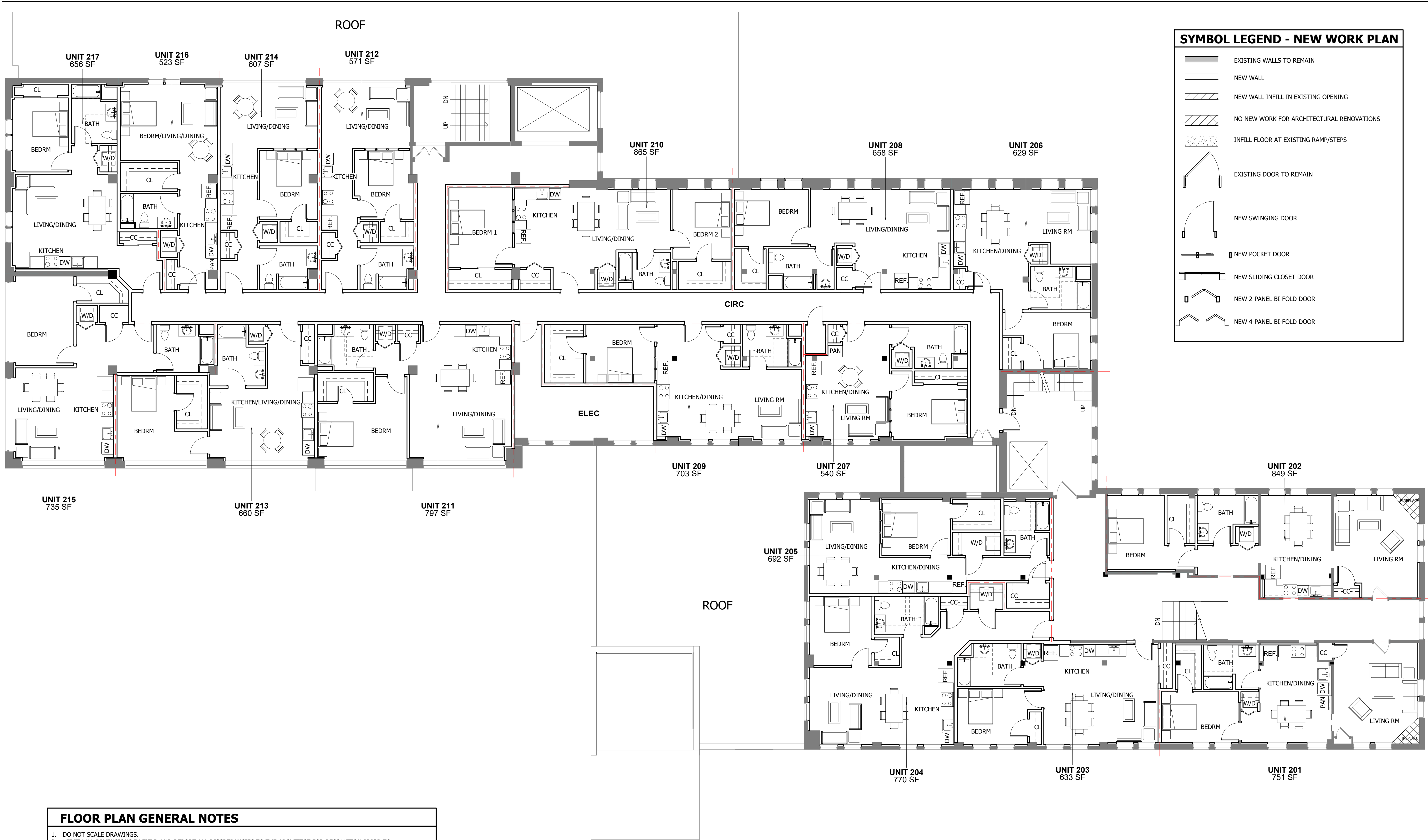
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FLOOR PLAN GENERAL NOTES

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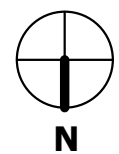
1 SECOND FLOOR PLAN

1/8" = 1'-0"

SYMBOL LEGEND - NEW WORK PLAN

- EXISTING WALLS TO REMAIN
- NEW WALL
- NEW WALL INFILL IN EXISTING OPENING
- NO NEW WORK FOR ARCHITECTURAL RENOVATIONS
- INFILL FLOOR AT EXISTING RAMP/STEPS
- EXISTING DOOR TO REMAIN
- NEW SWINGING DOOR
- NEW POCKET DOOR
- NEW SLIDING CLOSET DOOR
- NEW 2-PANEL BI-FOLD DOOR
- NEW 4-PANEL BI-FOLD DOOR

0' 4' 8' 16' 32'



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PROJECT TITLE

SCHEMATIC
413 N.PEARL ST -
RENOVATIONS

413 N.PEARL ST, ALBANY, NY
12207

SHEET TITLE

SECOND FLOOR
PLAN

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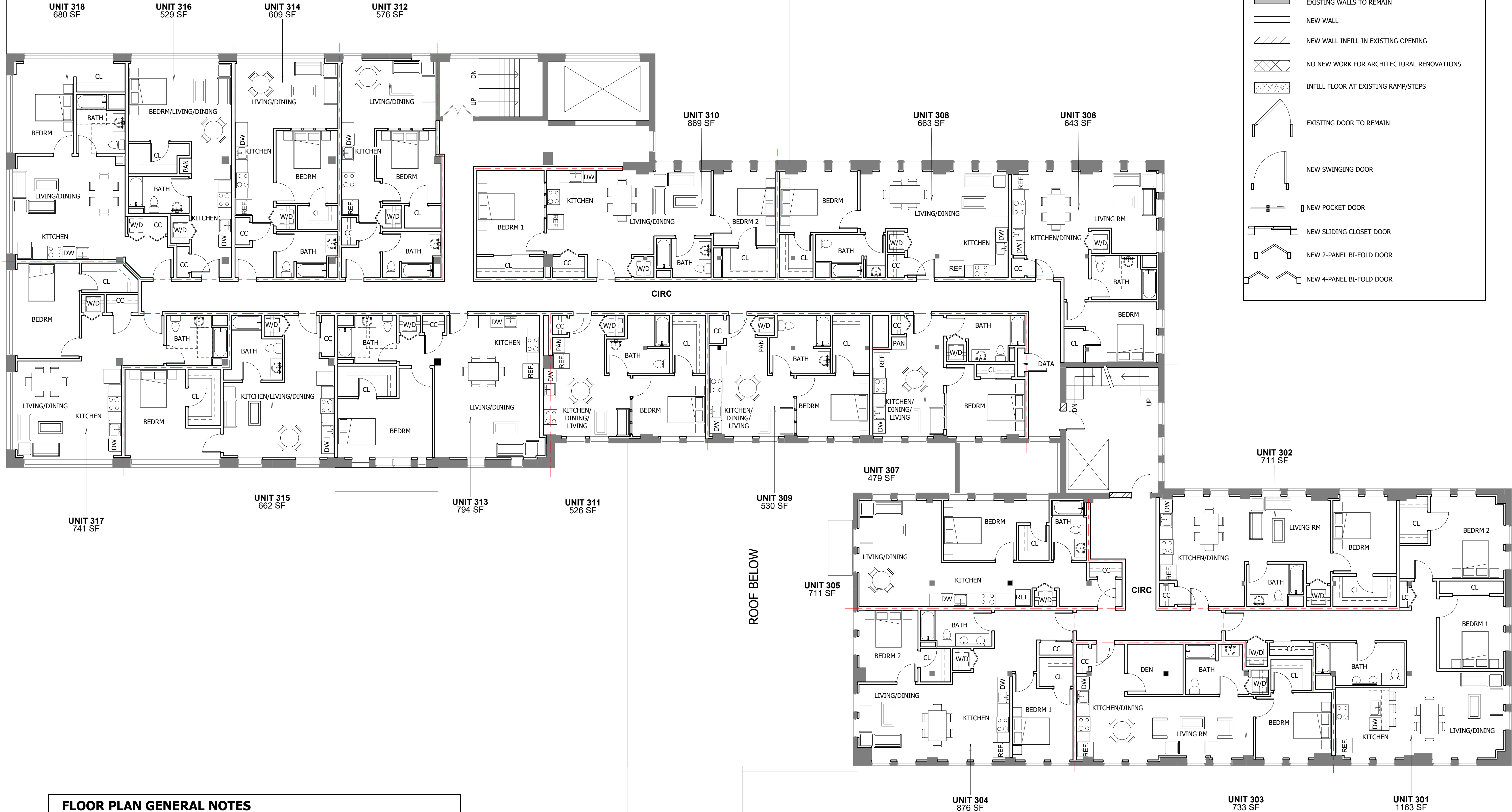
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ROOF BELOW



SYMBOL LEGEND - NEW WORK PLAN

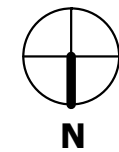
- EXISTING WALLS TO REMAIN
- NEW WALL
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- INFILL FLOOR AT EXISTING RAMP/STEPS
- EXISTING DOOR TO REMAIN
- NEW SWINGING DOOR
- NEW POCKET DOOR
- NEW SLIDING CLOSET DOOR
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- NEW 4-PANEL BI-FOLD DOOR

FLOOR PLAN GENERAL NOTES

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- REFER TO SHEET A100 FOR WALL TYPES, FLOOR/CEILING ASSEMBLIES AND GENERAL PARTITION NOTES.
- SEE MEP AND FP DRAWINGS FOR WORK RELATED TO THE RESPECTIVE TRADES.

1 THIRD FLOOR PLAN
1/8" = 1'-0"

0' 4' 8' 16' 32'



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PROJECT TITLE

**SCHEMATIC
413 N.PEARL ST -
RENOVATIONS**

413 N.PEARL ST, ALBANY, NY
12207

SHEET TITLE

THIRD FLOOR PLAN

CONSULTANT

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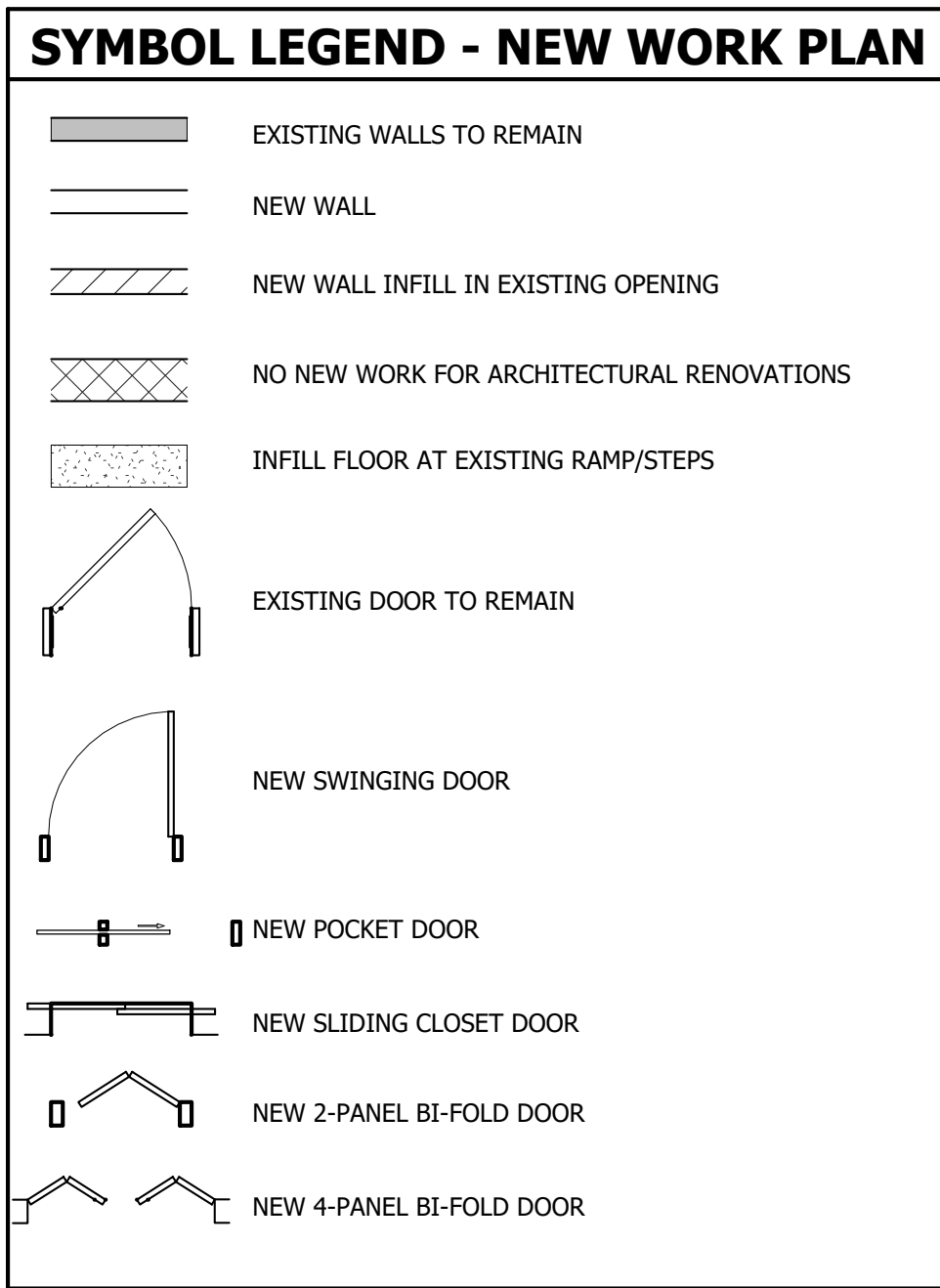
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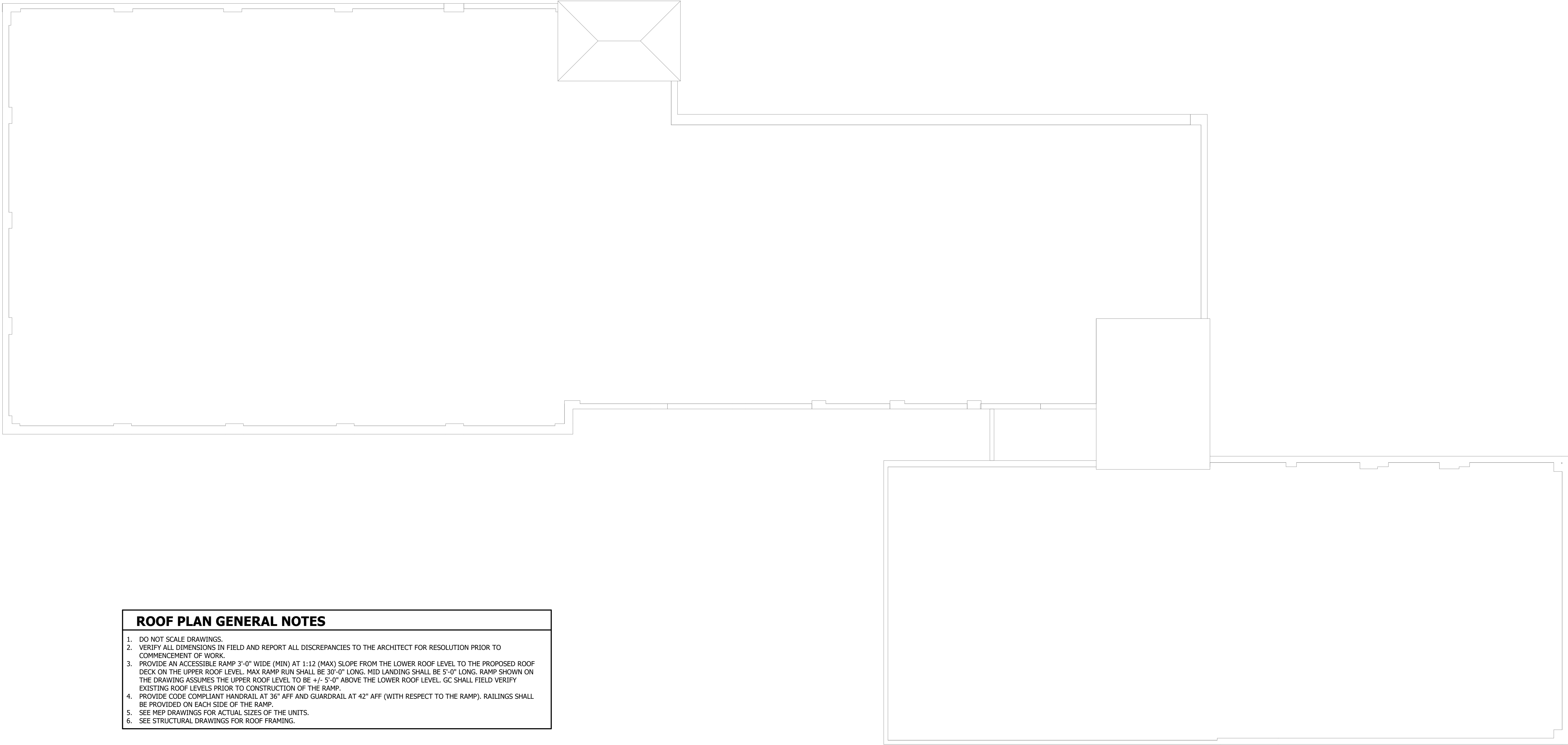
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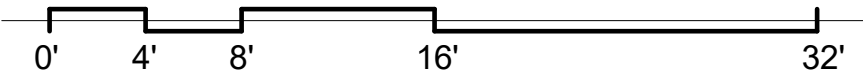


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- ROOF PLAN GENERAL NOTES**
- DO NOT SCALE DRAWINGS.
 - VERIFY ALL DIMENSIONS IN FIELD AND REPORT ALL DISCREPANCIES TO THE ARCHITECT FOR RESOLUTION PRIOR TO COMMENCEMENT OF WORK.
 - PROVIDE AN ACCESSIBLE RAMP 3'-0" WIDE (MIN) AT 1:12 (MAX) SLOPE FROM THE LOWER ROOF LEVEL TO THE PROPOSED ROOF DECK ON THE UPPER ROOF LEVEL. MAX RAMP RUN SHALL BE 30'-0" LONG. MID LANDING SHALL BE 5'-0" LONG. RAMP SHOWN ON THE DRAWING ASSUMES THE UPPER ROOF LEVEL TO BE +/- 5'-0" ABOVE THE LOWER ROOF LEVEL. GC SHALL FIELD VERIFY EXISTING ROOF LEVELS PRIOR TO CONSTRUCTION OF THE RAMP.
 - PROVIDE CODE COMPLIANT HANDRAIL AT 36" AFF AND GUARDRAIL AT 42" AFF (WITH RESPECT TO THE RAMP). RAILINGS SHALL BE PROVIDED ON EACH SIDE OF THE RAMP.
 - SEE MEP DRAWINGS FOR ACTUAL SIZES OF THE UNITS.
 - SEE STRUCTURAL DRAWINGS FOR ROOF FRAMING.

1 **ROOF PLAN**
1/8" = 1'-0"



SEAL

NOT FOR
CONSTRUCTION

PROJECT TITLE

SCHEMATIC
413 N.PEARL ST -
RENOVATIONS

413 N.PEARL ST, ALBANY, NY
12207

SHEET TITLE

ROOF PLAN

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EXHIBIT A

DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

413 NORTH PEARL ASSOC, LLC PROJECT

Pursuant to the City of Albany Industrial Development Agency's (the "Agency") Uniform Criteria for the Evaluation of Projects Policy, the following general uniform criteria were utilized by the "Agency" to evaluate and select the project for which the Agency can provide financial assistance. In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of City of Albany, Albany County, New York (the "Public Benefits"):

Description of Evaluation Criteria/Benefit		Applicable to Project (indicate Yes or No)		Criteria Assessment/ Expected Benefit
1.	Retention direct and indirect of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity Downtown, thereby promoting the retention of existing jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment and office operations located in the surrounding area.</p>
2.	Creation of direct and indirect new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity Downtown, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 2 new full time equivalent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.</p>

3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The exemptions have been weighed against the cumulative benefits of the Project.</p> <p>NYS Sales and Compensating Use Tax Exemption: \$454,400 Mortgage Recording Tax Exemption: \$122,000 Real Property Tax Exemption: \$0</p>
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project applicant expects to invest over \$17.9 million of private investment in the Project.</p>
5.	Likelihood of Project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>High likelihood that Project will be accomplished in a timely fashion.</p> <p>The project expects to receive City of Albany Planning Board approvals in 1Q 2021.</p> <p>The Applicant expects to close on the purchase of the property in 2021.</p>
6.	Extent of new revenue provided to local taxing jurisdictions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will result in new revenue to local taxing jurisdictions under the City of Albany's 485a program.</p>
7.	Other:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The Project will develop an underutilized property and create approximately 2 FTE's.</p> <p>The Project will increase the consumer base to support local businesses and employers.</p> <p>The Project will have a positive revitalizing effect on the community by developing currently underutilized land in a strategically identified neighborhood location.</p> <p>The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030.</p>